The Dreyfus Case

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ALFRED DREYFUS

AFTER HIS DEGRADATION, JAN. 5, 1895.

Frontispiece.

The Dreyfus Case

By

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Late Fellow of University College
Oxford

With Twelve Illustrations and Facsimiles
of the Bordereau, &c.

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1898

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TO

LIEUT.-COLONEL GEORGE PICQUART,

THE TRUE, THE DUTIFUL, THE BRAVE,

THIS HUMBLE VOLUME IS INSCRIBED,

WITHOUT THAT PERMISSION WHICH I WOULD FAIN HAVE OBTAINED,

BUT WHICH A MILITARY TYRANNY,

IMMURING HIM *AU SECRET* ON A FALSE AND

PERFIDIOUS CHARGE,

HAS PRECLUDED ME FROM EVEN SEEKING.

PREFACE

In writing this history of the Dreyfus Case I have endeavoured, so far as I could, to let documents and depositions speak for themselves. A record of the personal impressions left upon one's mind by a perusal of them might be more interesting, but would be less convincing to a reader who desires to form a judgment for himself upon the grave events which have for the last four years unrolled themselves in France. I hold that it is of the highest consequence to Englishmen to understand aright what is taking place in a country nearer to us than any other, and among a people whose welfare is, after all, more closely bound up with our own than that of any other. There is no city in the world so central as Paris, in the sense that whatever happens there at once attracts the attention of all Europe, and in no city do the voices of Paris so speedily find an echo, sympathetic or the reverse, as in London. I write as one who would ever like to be in sympathy with France, as one who has French ancestors.

I may briefly indicate the sources I have used. These are, first and foremost, the shorthand report of the Zola trial, which took place in February 1898, and the official documents of the Dreyfus and Esterhazy court-martials, so far as they have been published. The first two hundred pages of my book were already in print before the report of the first three sessions of the Cour de Cassation on October 27th and the following days was published. This often supplements, but seldom corrects, the earlier part of my narrative; and I have tried to add whatever it contains of new or striking. I have also used Prof. Albert Réville's *Les Étapes d'un Intellectuel*, and the various brochures of M. Yves Guyot, Justin Vanex, Jaurès, and others.

It is no exaggeration to say that the actions of the French War Office have outraged the conscience of the civilised world; and the too tardy advent of justice during the past month has brought relief to all. We may hope before long to see the victim back among his countrymen, restored to his family, and to the army, against which, in spite of its treatment of him, he has never breathed ill wish or evil word.

Throughout his long weary confinement in the Devil's Island he has been buoyed up by a clear conscience and an indomitable will, let us add by

the affection of a noble wife, and the hope of being rehabilitated, if not for his own sake, at least for that of his children. But alas, his health of mind and body must have sorely suffered. It is said that his hair has turned white with the anguish which devoured his soul; and with a refinement of cruelty the French Government made his captivity more galling and irksome from the moment when Colonel Picquart first established his innocence. They thenceforth allowed no more letters in his handwriting to pass to his wife, and it is even said that they put him in irons and built a palisade round his prison that he might not any more gaze out upon the sea—his only solace. His wife was not allowed to go out to nurse him in illness—a privilege allowed to vulgarer convicts—and even his supply of books was cut off.

In this terrible history the contrasts of honour and baseness, of loyalty and treason, are presented with dramatic intensity: Dreyfus and Esterhazy, Picquart and Henry; patriots like Zola, Yves Guyot, Joseph Reinach, P.-V. Stock, Clemenceau, Demange, Jaurès, Labori, Pressensé, Trarieux, Ranc, Scheurer-Kestner, Gabriel Monod, Paul Meyer, Grimaux, Bernard Lazare, Gérault Richard, Albert Réville, J.-Elie Pécault, Paul Viollet, M. Bréal, Stapfer, Buisson, Père Hyacinthe, Gaston Paris, Giry, Havet,

Anatole France, Molinari, Jean Psichari, on the side of truth and justice; wretches like Rochefort, Père Didon, Drumont, Du Paty de Clam, Vervoort, Judet, Brunetière, Déroulède, Millevoye, and others better left in obscurity, on the side of Jesuitry, treason, and prætorian insolence.

In conclusion, I owe my best thanks to those without whose help my book would have been marred by many inaccuracies—indeed, could not have been written; particularly to M. P.-V. Stock, who allowed me to use the facsimile of the bordereau given in M. Guyot's book, *La Revision du Procès Dreyfus.*

FRED. C. CONYBEARE.

November 19, 1898.

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CHRONOLOGICAL LIST OF CHIEF EVENTS

1894

April 1 (about). Esterhazy's bordereau written.
Oct. 13. Bertillon pronounces the bordereau to be in the handwriting of Dreyfus.
,, 15. Dreyfus examined by Du Paty de Clam and arrested.
Dec. 9. D'Ormescheville's Act of Accusation drawn up.
,, 19. Dreyfus' court-martial begins.

1895

Jan. 5. Dreyfus publicly degraded.
Feb. 9. French Chamber makes a law to send Dreyfus to French Guiana.
June 1. Colonel Picquart appointed head of the Intelligence Bureau.

1896

May 1 (about). The *Petit bleu* brought to Picquart.
July Picquart acquaints Boisdeffre with case against Esterhazy, and with his discovery of Dreyfus' innocence.
Sept. 3. Picquart acquaints Gonse with the same.
,, 3. False report in English press of Dreyfus' escape.
,, 14. Article in *Eclair* divulges use of secret evidence at Dreyfus' trial.
Nov. 1 (about). Henry forges evidence against Dreyfus.
,, (early in). Bernard Lazare's first brochure, *La Vérité sur l'Affaire Dreyfus.*
,, 10. The *Matin* publishes a facsimile of the bordereau.
,, 16. Picquart dismissed from Paris and succeeded by Colonel Henry.
,, 18. Castelin's interpellation. *Chose jugée* invented by Billot.
Dec. 15. A forged letter signed *Speranza* sent to Picquart.

1897

Jan. 13. Picquart reaches Tunis.
June (early in). Picquart receives Henry's threatening letter, and consults Leblois in Paris.
Oct. 16. Esterhazy's last interview with Schwartzkoppen.

Oct. (end of). De Castro recognises bordereau as Esterhazy's.
,, 24. Esterhazy's threatening letter to M. Hadamard.
,, 30. Scheurer-Kestner interviews Billot.
Nov. 3. Pellieux searches Picquart's rooms in Paris in his absence.
,, 10 or 11. Picquart in Tunisia receives false telegrams from Esterhazy and Du Paty de Clam.
,, 14. Esterhazy restores the *document libérateur* to War Office.
,, 15. Mathieu Dreyfus denounces Esterhazy as author of the bordereau.
,, 25. Picquart returns to Paris.
Dec. 31. Ravary reports in favour of not prosecuting Esterhazy.

1898

Jan. 2. General Saussy orders court-martial of Esterhazy.
,, 7. *Siècle* publishes D'Ormescheville's Act of Accusation of Dreyfus.
,, 11. Esterhazy acquitted "to order" of high treason.
,, 12. Picquart arrested by military authorities.
,, 13. Zola's letter *J'accuse* appears in the *Aurore*.
Feb. 11–23. First trial of MM. Zola and Perrenx.
,, 24 (about). Picquart expelled from the French army.
April 2. Cour de Cassation quashes sentence on Zola and Perrenx.
,, 7. Casella's revelations. Fresh prosecution of Zola ordered.
June 24. Joseph Reinach court-martialled for translating article in the *National Review*.
July 7. Cavaignac parades Henry's forgery in French Chamber.
,, 9. Picquart denounces the forgery.
,, 13. Picquart and Leblois prosecuted by Cavaignac. Esterhazy arrested by Judge Bertulus.
,, 14. Picquart arrested and taken to a civil prison.
,, 18. Second trial of MM. Zola and Perrenx. Zola quits France.
Aug. 30. Henry avows his forgery before Cavaignac.
,, 31. Henry's suicide in Mont Valérien.
Sept. 5. Cavaignac resigns the Ministry of War.
,, 6. Zurlinden becomes Minister of War.
,, 9. Esterhazy flees from France.
,, 14 and 15. Picquart's two letters to M. Sarrien.
,, 17. Zurlinden resigns, being opposed to revision.
,, 20. As Governor of Paris, Zurlinden arrests Picquart on charge of forgery, and immures him *au secret* in a military prison.
26. Brisson finally refers the Dreyfus verdict to the Cour de Cassation for revision.
Oct. 25. General Chanoine resigns.
,, 28. The Cour de Cassation begins the work of revision.
Nov. 15. Dreyfus is informed of the pending revision just one year after his brother's denunciation of Esterhazy.

ERRATA

Page 11, line 10, *for* 'Drumont's' *read* 'Guérin's.'
,, 15, ,, 24, *for* 'Sfax' *read* 'Soussa.'
,, 49, ,, 11, *for* 'Echeman' *read* 'Echernann.'
,, 46, ,, 1, *for* 'Verwoort' *read* 'Vervoort.'
,, 101, ,, 1, *for* 'Knight' *read* 'dignitary.'
,, 124, ,, 5, *for* 'sets' *read* 'puts.'

Dreyfus.

THE DREYFUS CASE

CHAPTER I

THE GENESIS OF THE DREYFUS CASE

To many Englishmen, by whom the existence in France of a Republican form of government was regarded as a guarantee of civil liberty, and of equal rights before the law of all her citizens of whatever religion, the Dreyfus case, with its accompaniments of illegality and sectarian hatred, must appear inexplicable. But, in truth, some such calamity has long been foreseen by those who have been in a position to note the rise and gradual increase during the last fifteen years in Catholic and army circles of an anti-Semitic feeling.

For nearly two thousand years the Jews of Europe have been hunted and oppressed, robbed and murdered; and it cannot be doubted that this treatment has helped them to retain their racial characteristics, and secured them from being merged and lost among the populations they lived among. The root of the antagonism was, of course, religious. Throughout those long dreary centuries which to-day, as we look

back upon them, we call indifferently the ages of faith or the dark ages, and which interpose themselves between a luminous and classical antiquity and the Renaissance with its printing-press, as the hours of night between successive days, the rights of a citizen rested on the profession of a particular religious teaching, intolerant of all dissent and resolved to reign alone. In those days Jews had no call to be loyal to nations which persecuted them so fiercely. When, however, the dark shadow began to pass away, and with the rise of Protestantism men began to respect even the conscience of Jews and recognise their right to exist, they began to weld themselves into the body politic, to imbibe the aspirations and sentiments of the populations around them, to become patriots. In the glorious roll of those who in this century have fought and suffered for their nationalities — Hungarian, Polish, or Italian—we find inscribed the names of many Jews.

In particular, the French Jews, since they were emancipated, forty years before our English ones, by the Revolution, have shown a loyal affection for France. They have left no civic duty unfulfilled, and have gloried in the liberty, and security, and equality with other men which in the renovated state was theirs. France led the way in their emancipation, and they have been correspondingly grateful and loyal to her; nor is it any exaggeration to say that until lately the Jews all over the world

felt on this ground alone an enthusiasm for the French and for their institutions.

There are about 80,000 Jews in France; but, in spite of their small numbers, they show remarkable talent and have reached the first rank in every sphere. Among the distinguished politicians of this century, Crémieux, Goudchaux, Millaud, Raynal, Joseph Reinach are Jews. In medicine, Germain Sée, G. Hayem, Strauss, Michel-Lévy, Jules Worms are famous. As philologists and historians we know the names of Munck, Bréal, Oppert, the two Darmesteters, H. Weil, Joseph and Hartwig Derenbourg, Halévy, Neubauer, Theodore and Salomon Reinach; as scientists, Lippmann, Lœvig; as political economists, Isaac Pereire and Kœnigswarter, Block and Raffalovich; as lawyers, Bédarride and Lyon-Caen. In the army there have been Leopold Sée, now a general of division, who led the assault of the Malakoff; Franchetti, who died gloriously in the siege of Paris. In the arts, we have the musicians Fromental Halévy, Meyerbeer, a Frenchman in all respects, save that he was born in Germany, and Offenbach; among painters, Emile Lévy, Henry Lévy, Worms; among sculptors, A. Salomon. In dramatic art, Rachel, Worms, Sarah Bernhardt. Among philanthropists, Albert Cohn, Baron de Hirsch, Bischoffsheim, and Salomon Goldschmidt have all lavished on the poor of France huge fortunes that they accumulated in

other countries. Surely an attempt to drive the Jews out of France, if it were successful, would be a mutilation of herself only less serious than the expulsion of her Huguenots long ago, and the loss of her German provinces within our own generation. Spain and Portugal long ago expelled the remnant of Jews that had not perished in the fires of the Inquisition, but those two countries have not profited by their fanaticism.

It is not necessary to inquire in these pages how far anti-Semitism in France is the echo of similar agitation in Germany, or an imitation, by way of flattery, of the Russian persecution. The malady broke out in these two countries longer ago than in France; but the phlegmatic temperament of their populations prevents such a dangerous crisis arising among them as in the feverish French constitution the virus once communicated rapidly generates. And another complication quickly supervened in France, which is a Latin country. There the clerical press, especially the journals written and controlled by the Jesuit and Dominican Orders, at once caught up and fomented the feeling. An atmosphere of suspicion was created by these journals around Jews in general, and in particular around Jewish officers. Large sections of the public and of the army were persuaded before long that a Jew is always ready to commit treason. When the campaign of defamation and of scattering suspicion had gone far enough, it became essential to justify it by facts. A victim

was wanted, and a victim was found. It was ever so with religious fanaticism; once let the flame of persecution be lighted, and victims will not be sought in vain.

In France there are two great military schools, the Polytechnique and Saint-Cyr, answering to our Woolwich and Sandhurst, recruited also by open competition. The young men of Jewish families pass in like others. The reactionary press has long asserted that the Jewish candidates win more places than they are entitled to do, and the royalist *Gazette de France* of July 19, 1894, declared that the proportion of Jewish officers in the army was ten times as large as it should be. This is gross exaggeration; still the number of them is certainly disproportionate to the quota—one five-hundredth—which they constitute of the French population. Yet who has the right to complain, since their success is due solely to hard work and intellectual merit? That so many Jews are anxious to enter a profession so ill-paid, so hard-worked, and, above all, if we consider the relation of France to Germany, so dangerous, in itself contradicts the charge repeated day by day in the clerical papers, that the French Jews are a set of money-grubbing parasites.

In the laicised universities and colleges of France most of the higher positions of teaching, of responsibility and control, are filled by Protestants; and this although they constitute but one-eightieth part of the population. The intellectual disparity of Roman

Catholics is herein made clear before all. It is as if in England the Roman Catholics worked and controlled our great universities and schools. We should not, of course, grudge them a success, which they show no sign of winning. There are in England and Scotland about two millions of Papists, one-fifteenth of the population, and in matters of education they are nowhere. In France the Huguenots, though but a microscopic minority, and in spite of the bitter hostility of the Catholic Church, direct the education of the country in all its branches.

With a single exception, however; for the institutions which cram young men for the army are mainly confessional and in the hands of the Jesuits; and the reason of this is that the corps of officers is chiefly recruited from among the royalist and aristocratic families, which are rigidly Catholic and devout. These Jesuit cramming establishments are confessional, and neither recognised nor regulated, like the Lycées, by the Government. The most considerable of them has its premises in the Rue des Postes, and M. Odelin, the administrator of it, also administers, with the help of a committee of Jesuits, the *Libre Parole*, a journal edited by Edouard Drumont. The young men who in each year have passed from M. Odelin's establishment into the two military schools form themselves in the latter into groups or clubs, and are called the *postards*. For several years past the *postards* have made it a matter of etiquette to send to coventry their Jewish colleagues

who have come from the public Lycées. They never exchange words with them except when the exigencies of military service oblige them to do so. Thus the moral unity of the French army has been destroyed, and the fault is with the Jesuits, who instruct their pupils to blackball Jews, and, we may add, Protestants as well.

In the year 1891 the evil was already so great that Jules Simon, a thoughtful man, and no extremist in his opinions, wrote as follows in the *Petit Marseillais* of June 6 about the Anti-Semitic faction lately formed among his countrymen:—

"Here are people not given to provoking others, men neither sanguinary nor violent, but who as often as not are too good-natured towards their enemies. Yet they eagerly welcome the calumnies heaped on the Jews, for whom they have neither justice nor pity. They do not ask for proofs, nor even expect likelihood. If they have not resorted to open cruelty and violence against them, it is simply because the police prevents them."

This recalls to me an undergraduate recollection of my own. About twenty years ago a convert of Father Humbert, the Oxford Jesuit, had a breakfast party in Balliol College, and Mr. Theodore Hubbard, of my own College, and Mr. John Oswald Simon were there to meet the Jesuit. Presently the conversation turned upon Italian unity, and Mr. Hubbard, an intimate of the genial old Carbonari, Vitale de Tivoli, who in those days taught us Italian

at the Taylor Institute, said things so pungent that the Jesuit threw away his usual reserve and lost his temper. "Oh, if I could only have the civil government in my hands for six months! I would hedge round Jews and Protestants like yourselves and stamp you out," he exclaimed. "I am grateful to you for your frankness," remarked Mr. Simon, with a quiet smile; "but I am glad also to reflect that in England there is an efficient police, which restrains such persons as yourself."

In October 1891 M. Déroulède, the founder of the Boulangist "League of Patriots," and political adviser at this moment of General Zurlinden, accused the French Jews before the Chamber of Deputies of wishing to "dechristianise" France, and in the same debate M. Francis Laur demanded the expulsion of the Rothschild family. Twenty Boulangist members voted for his motion, and M. de Cassagnac in the Monarchist journal *L'Autorité* of November 18 commented as follows on the incident:—

"M. Laur has clearly gone a little too far in talking of expelling the Jews from France, as the Russians are expelling them from Russia. This is, perhaps, a little premature; but you will see, if the thing goes on, that the question will arise some day or other, and then we shall find ourselves in this dilemma, that either the Christians or the Jews will have to clear out of France."

M. Francis Laur had been adopted and brought up by a Jewish family, to whom he owed all his

advancement in life. M. Drumont also subsisted by the patronage of the Pereires, a Jewish family, until the day when he left them to engage on that crusade of which the first fruits was the infamous book *La France Juive*, brought out in instalments by the *Petit Journal*. We may here remark that there are occasionally traitors among the Jews, for this notorious journal was founded by a Jew, and a Jew, M. Albert Ellissen, is one of its chief managers. Just after the first instalment had appeared, another journalist, Alberic Second, met Drumont on the boulevards. "My compliments to you, monsieur," said he; "up till now you have eaten the bread of the Jew. That has given you an appetite, and now you mean to eat up the Jew quite whole."

In March 1892 the *Journal d'Indre-et-Loire*, managed by a Deputy Delahaye, one of the chief denouncers of the Panama swindle, pretended that the Jews had committed a ritual murder at Chatellerault. Judicial investigation of course revealed an ordinary case of child-murder by a fallen woman. However, Catholic circles digested this *canard*, thus disseminated more than a hundred years after the Revolution; and in October of this year the same story has been circulated afresh in their journals.

It was about now that a young French officer, an ardent Catholic, a dissipated gambler, heavily in debt to Jewish money-lenders, and of whom we shall hear again, made his *début*. This was the Marquis de

Morès. His is the honour of having inaugurated anti-Jewish demonstrations in the streets of Paris. At the end of 1892 M. Gustave de Rothschild's daughter was married. De Morès organised a band of roughs, who assembled in front of the synagogue in which the marriage was being celebrated, and disturbed the ceremony by their howlings. When the bride appeared she was pelted with lumps of *assafœtida*, and De Morès became the hero of the anti-Semitic salons.

A French officer, a friend of De Morès, wrote in the *Libre Parole* of Odelin and Drumont during May 1892 a series of violent articles entitled "The Jews in the Army," full of the most insolent and infamous insinuations. Thereupon M. Crémieu-Foa, a Jewish captain of dragoons, challenged Drumont to a duel; and Esterhazy, who here comes on the scene, offered himself as Crémieu-Foa's second. He was then, as always, in want of money, and, as letters of his written at the time prove, he hoped that the fact of his having come forward as the second in this duel would awake the gratitude of some rich Jew and get him a loan for nothing. The duel was fought. Both principals were wounded, and General de Boisdeffre wrote and reprimanded Esterhazy for being the second of an outraged Jew. This letter Esterhazy instantly tried to make use of as a further passport and title to the liberality of a Jewish capitalist.

Crémieu-Foa subsequently fought a second duel

with M. de Lamase, who had put his name to the disgraceful articles written by the friend of De Morès; and at a later time he fell in battle for his country in Dahomey. But a third duel arose out of the encounter with De Lamase, this time between the Jewish Captain Mayer and De Morès. Mayer was killed; he was a valuable officer, of Alsatian origin, and his death at the hands of the truculent swashbuckler of the Rue des Postes aroused widespread indignation. Drumont's comment on the episode was this, "We wanted a Jewish carcase;" and De Morès remarked cynically, "We are just beginning a civil war."

The officer, the friend of De Morès, who had written the defamatory articles signed De Lamase in the *Libre Parole*, never revealed his identity; but on May 28, 1892, Drumont, in reply to the challenge sent to him by Crémieu-Foa, wrote as follows:—

"If the Jewish officers in the army feel themselves wounded by our articles, let them choose by lot among themselves as many champions as they like, and we will meet them with an equal number of *French* blades." This challenge was signed "Morès and his friends."

This was felt to be a provocation of civil war; and M. Camille Dreyfus, a member of the Chamber, put the question to M. de Freycinet, the Minister of War, whether in the French army there were two qualities of swords, one Jewish, the other French; and the Minister very properly answered thus:—

"In the army we know neither Jews, Protestants, nor Catholics, but only French officers without question of their origin. Therefore my answer is to those officers who feel themselves the object of attacks which we deeply regret, who are outraged by these appeals to the passions of a bygone age, and to prejudices which the French Revolution long ago dealed with as they deserved to be dealt with,—I shall say to them: You cannot really suffer from such collective insults as these. They touch neither your courage as soldiers nor your honour as private individuals. Take no notice of such attacks, and be assured that you have on your side the Government, the Chambers, the whole body of public opinion. Keep calm in the presence of such insults. . . . We will not tolerate, we cannot tolerate, these provocations, tending, as they do, to sow dissension in the ranks of the army. To excite citizens one against the other is always a mischievous thing; but to arouse dissensions among officers is worse—it is a crime against the nation."

However, no measure was taken within the army by its authorities to discover and punish the real author of the infamous articles. It was only sworn by De Morès in court that they were from the pen of a superior officer on active service. Of the style of this officer's attacks the following extract, from the first of the articles in the *Libre Parole* for May 23, 1892, is a specimen:—

"The army has been kept free from Jewish influence longer than the rest of contemporary society. . . . What have the *youtres* entered our ranks

for? To draw cheques is better worth their while than to shoot at a target. . . . If the Jews did not care much to enter the army, the army anyhow cared still less to admit them. Apart from all religious considerations, there exists in the breasts of most soldiers an instinctive feeling of repulsion towards the sons of Israel. . . . Everywhere and always, in peace as in war, the army has seen the Jews take up an attitude hostile to itself, to its duties, to its well-being, to its honour. . . . Since 1870 the situation has changed. . . . Hardly had the Jews gained a footing in the army, than they tried, by fair means or foul, to get the control of it into their hands. . . . Long ago they conquered our finance, our civil administration, and dictated the sentences of our magistrates; they will be undisputed masters of France from the day when they get command of the army, and Rothschild gets possession of the scheme of mobilisation—for what end we can all guess at."

CHAPTER II

ESTERHAZY THE MERCENARY

MARIE-CHARLES-FERDINAND WALSIN-ESTERHAZY was born in the year 1848, so that he is now fifty years of age. He was, until September 1898, a *chef de bataillon,* or major of infantry, in the French army. He has already come before my readers in the last chapter, running from one benevolent Jew to another with General de Boisdeffre's letter, genuine or forged, in his hand, and soliciting alms from them in the character of a second and champion of maligned Jewish officers. His appeal was fairly successful, and he received many sums, varying from twenty to a hundred francs.

He is not a Frenchman by race, but a Hungarian; though his family has been settled for nearly a hundred years in France. He began his military career as one of the Pope's mercenaries, but when that force was disbanded in 1870, he returned to France, and received a commission in the French army. He speaks German, French, and Italian with great ease; and through his marriage with a lady of one of the best families in France, has long had free access to the best society in Paris. By reason

of his dissolute habits of life, his wife has recently obtained a decree of judicial separation from him, barely saving a pittance for herself and her children out of a fortune which he has gambled away. As a soldier he has seen some service in Algeria, and while there committed an act sufficiently discreditable. It was in 1881, when he was attached to the 135th line regiment, and took part in actions on August 26th and 29th against the Arabs at El-Arbaïn. Colonel Corréard, who commanded, recommended for bravery in his dispatch a captain and two lieutenants, but did not mention Esterhazy, The latter, however, forged a recommendation of himself for his exploits in these actions, and managed to insert it in the official record which is drawn up annually of the conduct of each officer. General Guerrier a long time afterwards detected the imposture, and reported it to the Minister of War, who had it erased. In the first Zola trial General Guerrier went into the witness-box to depose to this incident, but the judge refused to allow him to give his evidence.

In 1882 Esterhazy was guilty of an act of malversation at Sfax in Tunisia. He should have been court-martialled, but thanks to his own whinings and the longanimity of his superiors he escaped. In the province of Constantine he enjoyed the worst of reputations. There is no reason to suppose that Esterhazy was ever very sincerely attached to the French service, or that he ever regarded himself as

other than a mercenary in French employ. As such he began his military career, and a series of letters, which were printed in the French *Figaro* in the late autumn of 1897, sufficiently prove that he not only continued to regard himself as such, but also entertained a hearty contempt for the French uniform. These letters he wrote some years ago to one of his many friends, Madame de Boulancy, from whom they were obtained last year for the editor of the *Figaro*. Esterhazy has accused Madame de Boulancy of interpolating the worst of them, which has come to be known as the *Lettre du Uhlan;* but it is throughout in his handwriting, and exhibits no sign of having been tampered with. Moreover, Esterhazy allows the genuineness of the others, and the whole series has, after careful examination by the Judge Bertulus, been recognised as authentic. Some extracts will show the general character of these letters. Thus of French officers he wrote:—

"Our great military leaders, poltroons and ignoramuses as they are, will once more go and people the German prisons."

In another letter he writes of the French and of their officers thus:—

"I am absolutely convinced that these people are not worth the cartridges it would take to shoot them; and all their petty acts of meanness, worthy only of low women, quite confirm me in my opinion. There is for me but a single human quality which

MAJOR ESTERHAZY.

I prize, and the people of this country wholly lack it. If this very evening some one came and told me that I should be slain to-morrow as a captain of Uhlans cutting Frenchmen down, I should assuredly be perfectly happy. I regret with all my heart that I was not at Aïn-Draham, although it is a poor country, and that I ever set foot again in this cursed France. . . . You have quite mistaken my nature and character. I am, it is true, from a general point of view, worth infinitely less than the least of your friends, but I am a being of quite a different species to any of them. And that too is the very point on which they generally deceive themselves in regard to myself. However, just now, exasperated, embittered, mad, placed in an altogether atrocious situation, I am capable of great things, in case I find an opportunity, *or of crimes*, if thereby I can avenge myself.

"I would not harm a dog, but I would with pleasure have a hundred thousand Frenchmen put to death. They are a lot of pinchbecks, barber's-blocks, merry-andrews, and put me in a black rage. If I could do it, and it is more difficult than you would suppose, I would be with the Mahdi in fifteen days.

"Bah! Think of their cowardly anonymous tittle-tattle. Filthy wretches! they go from one woman to another hawking about their lubricity, and every one listens to their gossip! What a sorry figure they will all cut in the red sun of battle in a Paris taken by assault and given over to the pillage of a hundred thousand drunken soldiers.

"There you have the feast I dream of! So be it!"

In another letter he remarks:—

"These low scoundrels ought to have the lance of a Prussian Uhlan well driven into them."

And in another:—

"The Germans will put all these fine fellows in their right places before very long."

In another we read the following passage about the late governor of the Paris garrison:—

"General Saussier is a clown, that the Germans would not stand even in the stalls of a fair."

And again:—

"When they get to Lyons, the Germans will throw away their guns and only keep their ramrods to whip the French with as they run before them."

One last extract from another letter:—

"Look at this precious French army. It is disgraceful. If my position were not at stake I would be off to-morrow. I have written to Constantinople. There, if they offer me a suitable commission, I will go at once. However, I do not mean to quit this before I have played such a trick on these blackguards as I know how to play."

And he certainly has played a very pretty trick

on the French general staff, and they, on their side, have invited it in every possible way.

We saw that in 1892 Esterhazy was in desperate straits for ready money. In that year Major von Schwartzkoppen was appointed German military attaché at Paris. It appears that Esterhazy had already made his acquaintance at a German watering-place. However this may be, he lost no time after the latter's arrival in Paris in offering his services to him as a hired spy. The story of his relations with Schwartzkoppen has best been told in a letter signed "*Un Diplomate*," and addressed from Berne on March 25, 1898, to the *Siècle* newspaper in Paris. Major Panizzardi was at that date the military attaché accredited by the Italian Government at Paris, Brussels, and Berne; and the letter which I now translate is, if not actually written, at least inspired by him throughout. It has great importance, because, as we shall see below, he has been all through the *fidus Achates* of Schwartzkoppen. Some of the references in it my subsequent narrative will explain:—

"One is truly astonished in diplomatic circles at the way they go on discussing in France the case of Dreyfus, at their still weighing the *pros* and *cons* of his guilt, when after all every one knows the real truth of the matter.

"The French appear to be the only people who do not know it; and I think it is just as well to acquaint you with it just as it is. In any case, I

mean to relate to you certain details which you probably do not know, since you have not published them, though all the world knows them. You may make whatever use best suits you of my letter.

"It is the business of military attachés to acquaint themselves with the condition of the armies in the various countries to which they are accredited. How draw the line between the getting of information and actual spying? It is very difficult to do so. In 1890 a messenger of the Ministry of War at Paris was convicted of having given certain documents to the Baron de Huiningen or de Huene, the military attaché of the German embassy. The journals discussed the matter at the time with more or less accuracy. In 1891 Captain Borup, military attaché of the United States, had to be recalled because of an affair of the kind. It was then that M. de Münster gave a promise that henceforth the German military attachés would give up such practices.

"Major de Schwartzkoppen was appointed military attaché in 1892. He had curiosity and was anxious to be well informed, and Esterhazy offered himself. M. de Schwartzkoppen could not resist the temptation, and he entered into relations with him without warning his ambassador.

"Esterhazy, because of his knowledge of German, had been employed in 1876 in the état-major. Though he subsequently rejoined his regiment, he had kept up his relations with the staff. He had provided himself with a great deal of information that he could furnish. What was the value of the documents that he betrayed to M. de

Schwartzkoppen? I do not know in the least; but they were very numerous. M. de Schwartzkoppen has said that, at the time when he was recalled, he had received from this intermediary not less than 162 communications.

"How much had he paid for them? One day some one mentioned the sum of 80,000 francs a year in M. de Schwartzkoppen's presence. He made a gesture of which the meaning was hard to seize.

"In 1894, in the spring, M. de Schwartzkoppen, now promoted to the rank of lieutenant-colonel, on returning from a holiday, found the pieces enumerated in the bordereau which has been attributed to Dreyfus, and which had already been taken to the Ministry of War. He recognised the sender of the pieces; and his relations with Esterhazy went on. At this date, then, Colonel de Schwartzkoppen did not know of the existence of the bordereau, which had been intercepted and sent to the *Bureau des Renseignements* of the French Ministry of War.

"On October 29, 1894, the *Libre Parole* asked the question in its columns whether an important arrest had not been made on a charge of high treason. Colonel de Schwartzkoppen immediately went to his friend, Colonel (then Major) Panizzardi, the Italian military attaché, and said to him, 'I think my man has let himself be caught; the stupid ass!' ('Je crois que mon homme s'est laissé pincer; l'imbécile!')

"The next day the *Eclair* confirmed the news. Colonel de Schwartzkoppen was still anxious. On November 1st the *Libre Parole* had the news, 'Arrest of a Jewish officer.' That very day Colonel

de Schwartzkoppen came back to Major Panizzardi, and as soon as he saw him exclaimed, 'Ouf! It was a false alarm. It is not my man!'

"When the name of Dreyfus was given, he was quite sure that he had had nothing to do with him, and supposed that the person in question had been in the employ of some other Power. He was very surprised to learn that, after proper inquiries, the embassies of the Triple Alliance had reached absolute certitude that no business of the kind had been transacted or discussed, directly or indirectly, with Captain Dreyfus. In any case the matter of Captain Dreyfus did not concern him. He was convinced that the French Government must have proofs of his guilt. He thought no more about it, and remained quietly at Paris, and went on with his transactions (with Esterhazy).

"His regular purveyor of information, much emboldened by Dreyfus' condemnation, redoubled his activity.

"Yet he had singular scruples. He had been formerly a Papal Zouave, and as such declared that he would not give anything up 'to those *macaronis* of Italians.' Nevertheless he handed over to the embassy documents relative to the defence of the Alps (Nice and Briançon).

"These operations lasted on up to November 10, 1896, at which date there was published in the *Matin* a facsimile of the bordereau.

"Immediately Colonel de Schwartzkoppen cast his eyes on it he recognised Esterhazy's handwriting. What is more, if he had not received the bordereau itself, he had anyhow received the

documents mentioned in it. He felt it keenly, for it was now demonstrated to him that they had condemned Dreyfus on the strength of a document written by Esterhazy.

"He went straight to his friend, M. Panizzardi, and said, 'My man is caught; it is his writing.'

"Everything now became clear as day to M. de Schwartzkoppen. There could no longer be any doubt. In order to find out how the famous bordereau could have been intercepted and handed to the French, the German embassy made a careful inquiry, of which the result was to prove the following facts.

"The unsigned invoice, since called the bordereau, had been left in an envelope with the concierge, who was an old Alsatian. They suspected him, and he was got rid of. They dismissed at the same time a servant in the personal employ of M. de Münster.

"From that day forth, the 10th of November 1896, Esterhazy never betrayed a single document more to M. de Schwartzkoppen.

"It has been said that in 1896 Commandant Esterhazy went to two influential deputies and asked them to get permission for him to remain in Paris and go back again into the bureau of the état-major. He had learned no doubt of the inquiry that Lieutenant-Colonel Picquart was conducting, with the goodwill of his chief, General Boisdeffre; and he thought that his best way of defeating it was to be himself present in the Intelligence Department. In any case, his request was not granted.

"Colonel de Schwartzkoppen was resigned to the loss of Esterhazy, but he did not consider it his

duty to reveal the name of the true author of the bordereau.

"In October 1897 people began afresh to talk about the Dreyfus affair. So far the name of Esterhazy had not been divulged by any journal, when, on October 16, 1897, in the afternoon, Colonel de Schwartzkoppen had ushered into his presence at his own private lodgings in the Rue de Lille, the Commandant Esterhazy, livid, haggard, and with every sign of terror in his countenance. He pulled out of his pocket a revolver, which he seemed always to have about him, and, threatening the colonel, declared that he was resolved to make an end of the matter, either by suicide or by committing a crime. As yet he had not made up his mind which to do. All this was his way of extorting from Colonel de Schwartzkoppen a promise that he would go straight to Madame Dreyfus and declare to her that it was with Captain Dreyfus that his dealings had been, and not with Esterhazy at all.

"The colonel refused, but ended by assuring him that he thought it his duty to keep his secret, since he had employed him, and that he would not betray him. Esterhazy was not much reassured, but went away.

"Two hours later he came back again, radiant, and apologised to the colonel. He told him that he had now nothing more to fear; and he related how he had just met two French officers at a rendezvous, and that they had given him a document which would enable him henceforth to defy all his enemies. In short, he said he was safe now, and that he knew they would protect him.

"It is probable that these two officers were afterwards turned into the veiled lady, whom, by his own account, Esterhazy never saw until the 29th October, thirteen days later.

"Colonel de Schwartzkoppen waited no longer. He realised in how false a position he would find himself in case serious proceedings should be taken against Esterhazy. He asked to be recalled, and his place was immediately filled up. He bade an official good-bye to the President of the Republic.

"Every one can testify that the *Gotha* official news-sheet of the 10th November mentions the name of his successor, Baron de Süsskind. Now at that time no one had uttered the name of the Commandant Esterhazy, nor was it mentioned till November 15, and then by M. Mathieu Dreyfus.

"M. de Schwartzkoppen only did what was decorous and usual in leaving France at the moment when the Esterhazy affair was about to arise. Moreover, he felt himself in a false position as regarded his ambassador. He had been able to say to M. de Münster that he had had no dealings with Dreyfus; he could not have said as much with regard to Esterhazy. And M. de Münster might have reproached him for having had so little scruple in breaking the word of honour which he, M. de Münster, had given to the French Government. When the Count de Münster went to Germany in January, on the occasion of the Fête of the Orders and of the Chapter of the Black Eagle, he must have asked him for explanations. It is said that previously to his departure, it was from one of his colleagues, the ambassador of another of the Powers

of the Triple Alliance, that he learned the real reason which had led M. de Schwartzkoppen to ask to be recalled.

"The one thing that is certain is, that the true furnisher of documents to Colonel de Schwartzkoppen was Esterhazy, and not Dreyfus. About that there is neither doubt nor mystery. M. de Bülow, in his declaration before the Finance Committee of the Reichstag, definitely said that Dreyfus had never had relations with any German agents. The Count Bonin Langaro made the same declaration for Italy. M. de Bülow added that he had only recently come to know of the name of Esterhazy. That merely means that M. de Schwartzkoppen had not taken him into his confidence in regard to his relations with Esterhazy, and no more than that. M. de Bülow said that he was equally unacquainted with the name of Picquart. What could be more natural? He did not wish to isolate Esterhazy in his phrase, lest he should discover him completely.

"One asks oneself why the French Government is so determined to fix the charge of treason on the man who betrayed nothing, and to shelter the other, whose relations with M. de Schwartzkoppen are known everywhere. *Errare humanum est, sed perseverare diabolicum.*

"M. de Schwartzkoppen is furious at their pretending that he wrote such dispatches[1] as General de Pellieux brought into the Assize Court. He will not have them make out that he was capable of an act of imbecility, in which no one in the diplomatic

[1] The reference is to the Henry forgery.

world or in any general staff, save the French, has believed.

"M. de Schwartzkoppen is a Prussian officer. He does not pride himself on being exaggeratedly sensitive. None the less his friends say that he is not free from a certain remorse on account of the responsibility he has incurred in regard to Dreyfus' condemnation. Since the 10th of November 1896 he has known the truth, and a single word from him would have been enough to bring it home to others. Silence in such a matter weighs on him.

"You see what is said everywhere, except in France. I write to you and authorise you to publish my letter. Why keep the French public alone in ignorance, when, of all other publics, it is most interested in knowing the truth?

"Un Diplomate."

This letter anticipates in its latter half the chronological development of events which my book aims to observe. However, it was necessary to give it entire and to give it here, because of the importance which necessarily attaches to Colonel Panizzardi's communications. What it repeats to us anent Esterhazy's intercourse with Schwartzkoppen is obviously from the lips of Schwartzkoppen himself.

Although, by his intervention in favour of Crémieu-Foa, Esterhazy managed to beg a few hundred francs from benevolent Jews, it did him harm in other directions. His action not only elicited a private letter of rebuke from General Boisdeffre, already then head of the General Staff,

but it brought down on the ill-starred man the indignation of his aristocratic relations, and lost him a legacy which he had looked forward to getting. In a letter written in June 1894, of which he was obliged to recognise the genuineness in his court-martial on January 10, 1898, he alludes to this incident as follows:—

"This loss of an inheritance which we had a right to look forward to as assured, and which would have saved us and enabled us to live, is all due to the stupid intolerance of a heartless family. This, along with the unheard-of conduct of my uncle, the health of my unfortunate wife, the destiny that awaits my poor little girls, and from which I cannot rescue them *except by a crime*, all this is too much for a man's strength. I had plenty of courage, but I have come to an end both of my moral courage and of my material resources."

There can be no doubt that the crime by which alone he found himself able to save his children from penury was treason, and it is quite likely that the 2000 francs a month, with an occasional bonus on any specially important document, that he got from Schwartzkoppen, would have enabled him to keep his family in comfort had he abstained from gambling on the Bourse. I shrink from the supposition that he really contemplated the murder of his wife and children, although M. Weil, who had both lent and given him money, and had also induced M. de Rothschild to help him, deposed at Esterhazy's

court-martial on January 10, 1898, that he had several times made the declaration to him—"If this is to go on, I would rather kill my wife and children and then kill myself." Whichever interpretation is right, it is evident that Esterhazy was in desperate straits for money at the time he wrote the bordereau, to a consideration of which I now turn.

CHAPTER III

THE BORDEREAU

In September 1894 an Alsatian servant, probably the concierge at Schwartzkoppen's lodgings, brought the bordereau, which has been mentioned in the preceding chapter, to the Intelligence Department of the French War Office. This department collects all documents relating to espionage, and has a considerable sum of money to spend year by year either in buying German and Italian military secrets, or in running down French spies in the pay of those Governments. The bordereau had been torn up into many small pieces before it reached the French authorities, apparently by the servant who stole it, but for what reason I cannot divine. It will be seen that it is just an invoice or memorandum of secret documents which Esterhazy was dispatching to the German attaché, and which, as we saw, that functionary duly received. Here is a translation of it:—

"Sir, though I have no news to indicate that you wish to see me, nevertheless I am sending you some interesting items of information.

"1. A note on the hydraulic brake of the 120, and on the way in which this piece behaved.

" 2. A note on the covering troops (some modifications will be entailed by the new plan).

" 3. A note on a modification in artillery formations.

" 4. A note relative to Madagascar.

" 5. The project of a firing manual for field-artillery, 14th March 1894.

" The last document is extremely difficult to procure, and I can only have it at my disposal during a very few days. The Minister of War has sent a limited number of copies to the several corps, and these corps are responsible for the return of it, each officer in possession of one having to return it after the manœuvres. If, then, you would like to take out of it whatever interests you, and hold it afterwards at my disposal, I will take it, unless, indeed, you would like me to have it copied *in extenso*, and then send the copy to your address.

" I am just setting off to the manœuvres."

At this time Colonel Sandherr was chief of the Intelligence Department, and Major Henry next in command. The whole world knows about Henry; but the character of Sandherr is less known, and it is worth while to repeat here the deposition about him which M. Lalance, who was the leading Francophil or protesting member of the German Reichstag for Alsace from 1874 onwards, made in the Zola trial on February 18, 1898.

" I have known the Sandherr and Dreyfus families, the accusers and the accused. I have lived with them, and have seen them close. Sandherr's father

was a Protestant who had turned Catholic, and he had the intolerance of neophytes. In 1870, at the outbreak of the war, bands led by him were going about the streets of Mulhouse, shouting, 'Down with the Prussians in our midst.' These Prussians were the Protestants and the Jews. His shouts found no echo. The Protestants, Jews, and Catholics did their duty all alike, both during and after the war. In Alsace there are no religious dissensions, any more than there are political ones. When in 1874 we were summoned to send deputies to Berlin, it was a Jew who proposed the candidature of the Bishop of Metz, and it was the curés who nominated the Protestant deputies.

"M. the Colonel Sandherr I knew since his childhood. He was a good soldier, a brave and loyal citizen, but he had inherited his father's intolerance. Also in 1893 he was seized with the brain disease which was to kill him three years later. In that year he was sent to Bussang, in the Vosges, for a cure. While he was there, a patriotic ceremony was held, the presentation of a flag to the battalion of *Chasseurs à pied*. All the bathers went to witness it. Hard by them there was a Jew, an Alsatian no doubt, who was weeping with emotion. Colonel Sandherr turned to those next him and said, 'I distrust those tears.' The persons he spoke to asked him what he meant, and said, 'We know that there are Jewish officers in the army who do their duty well and are patriotic and intelligent.' Colonel Sandherr replied, 'I have a distrust of all Jews.'

"Such is the man, gentlemen of the jury, who

FACSIMILE OF THE BORDEREAU.

Sans nouvelles m'indiquant que vous
désirez me voir, je vous adresse cependant
Monsieur quelques renseignements intéressants
1° une note sur le frein hydraulique
du 120 et la manière dont sont conduites
cette pièce.
2° une note sur les troupes de couverture.
(quelques modifications seront apportées par
le nouveau plan.).
3° une note sur une modification aux
formations de l'artillerie:
4° une note relative à Madagascar.
5° le projet de manuel de tir de
l'artillerie de campagne. (14 mars 1894.)

Le dernier document est extrêmement difficile à se procurer et je ne puis l'avoir à ma disposition que très peu de jours. Le ministère de la guerre en a envoyé un nombre fixe dans les corps et ces corps en sont responsables, chaque officier détenteur doit remettre le sien après la manœuvre. Si donc vous voulez y prendre ce que vous intéresse et l'extraire à ma disposition après, je le prendrai. Aussi que vous me voulez que je le fasse copier en entier et que vous en adresse la copie.

Je vais partir en manœuvres

directed the accusation. One may well suppose that he allowed himself to be guided by passion rather than by justice."

Sandherr seems to have thought that if there was a traitor in the French army, he must necessarily be a member of the general staff, and, starting with this assumption, took specimens of the writing of all the officers employed in the bureau. Two officers at once came forward and suggested that the handwriting of the bordereau resembled that of Dreyfus, the only Jewish officer in the general staff, and the first who had ever been put on it. These two *delatores* were the Marquis de Morès and Colonel Du Paty de Clam. The former we have made the acquaintance of in our first chapter. He was a close friend of Esterhazy's, who may have set him on; the other was destined in the future development of the case to become the associate and accomplice of Esterhazy, and also his go-between with the War Office.

Captain Dreyfus, who was thus incriminated, had come to live at Paris in 1874, and was successively a pupil at the Chaptal College and at Sainte-Barbe. He was then admitted in 1878 into the École Polytechnique, which, in France, answers to our Woolwich. He entered the 182nd in order of merit, and left it as an under-lieutenant 128th on the list. He then went to the School of Applied Gunnery (*École d'Application*), where he got in 38th, and left 32nd on the list. He was then appointed second lieutenant in the 31st regiment of artillery in garrison at Mans,

and put in service there from October 1, 1882, till the end of 1883, when he was commissioned to the Fourth Mounted Battery, detached at Paris. On September 12, 1889, he was appointed captain in the 21st regiment of artillery, then adjunct to the Central School of Military Pyrotechnic at Bourges. On April, 21, 1890, he was admitted at the Ecole de Guerre as No. 67, and left it in 1892 as No. 9, and with the mention "Very good." During 1893 and 1894 he was attached to the general staff of the army.

The Dreyfus family is Alsatian. They are large manufacturers in Mulhouse, and Captain Dreyfus has a good income. M. Lalance was prepared to testify at the Zola trial to the singular patriotism and loyalty to France of the family, but his deposition was ruled out by the judge on the ground that it referred to Dreyfus, and so trenched on the *chose jugée*. The way in which no effort was neglected in that trial to stifle the truth is well illustrated in the following extract from the shorthand report.

After concluding his deposition about Colonel Sandherr, M. Lalance continued thus:—

"Lalance: As to the Dreyfus family——

"The Judge: Do not speak of Dreyfus.

"Lalance: Of his family, M. le President—

"The Judge: No, it is useless.

"Lalance: In face of your orders I stop. I thought that it might be useful to the gentlemen

of the jury to know what the eldest brother has done. . . .

"The Judge: Let us speak now of the Esterhazy affair.

"Lalance: I know nothing about that at all."

But if the *doyen* of the Alsatian loyalist members was gagged in the Paris law-court, he could not be prevented from publishing his deposition in the next morning's *Siècle*, February 19, 1898; and it is so much to the point that I translate it. The patriotism of the eldest brother had been impugned before the officers who condemned Dreyfus in 1894:—

"To M. Yves Guyot,—

"At your request, I have written down what I should have said publicly to-day in the Court of Assize, had not the presiding judge prevented me from speaking.

"The Dreyfus family consists of four brothers: Jacques, Léon, Mathieu, and Alfred. They are closely knit together, as it were one soul in four bodies.

"In 1872 the Alsatians were called upon to pronounce about their nationality. It was called *option*. Those who wished to remain French had to make a declaration and quit the country. The three younger ones opted and left it.

"The eldest, Jacques, who was past the age of military service, and who, moreover, had, during the war, belonged to the Legion of Alsace-Lorraine, did not opt, and was declared a German.

"He sacrificed himself, in order to be able, without

fear of expulsion, to manage the important industrial establishments which were the patrimony of the family.

"However, he promised that, if he had any sons, they should all be French. For the German law allows a father to take out a permit to emigrate for a son when he reaches the age of seventeen. The son then loses his German nationality, but he cannot re-enter the country before he is forty-five.

"Jacques Dreyfus had six sons. In 1894 the two eldest were preparing themselves at Paris for the Polytechnic School and Saint-Cyr. After the trial of Alfred Dreyfus they were obliged to leave. Their careers were blasted. The two next brothers were at the Lycée of Belfort. They were hounded out of it.

"What was the father's duty, who knew that his younger brother had been *unjustly* and *illegally* condemned? To change his name like members of other families who were called Dreyfus? To renounce his cherished ideas and make up his mind to send his sons for their year of service into the German army, so that they might afterwards return to their father's house, and live in a town where his family was respected, where every one pitied and esteemed it?

"Had he done that, no one would have cast a stone at him.

"In 1895 and 1896 his third and fourth sons reached the age of seventeen. He said to them, 'My children, you will quit your father's house, to return to it no more. You must go to that country where your name is scorned and despised. It is your duty. Go!'

"Lastly, in 1897, the father left his house, his business, all his friends, and went and settled at Belfort, in that very villa which they have resolved to turn into a *château-fort*.

"He demanded to be naturalised as a Frenchman, himself and his two youngest sons. Are there many Christians who would have done as much?"

For an exact knowledge of the way in which Dreyfus was arrested and thrown into the military prison we are indebted to a semi-official communication subsequently given by some one who took part in the whole proceedings to the Paris *Eclair*, which printed it on September 14, 1896. Its truth is proved by its agreement with the formal indictment read before the court-martial.

"Commandant Du Paty de Clam was charged to conduct the preliminary inquiry, which must precede a formal order to prosecute in a military court. He wrote, on October 14, 1894, to Captain Dreyfus, asking him to be so good as to present himself at the Ministry of War on the morning of the 15th at 9 A.M., to receive a communication which concerned him.

"On his arriving, Du Paty began to dictate to the captain a letter, of which the terms were identical with those of the bordereau, and which began with the words, 'I am just setting off.'

"At these first[1] words the Captain turned pale; his hand trembled, his pen wavered.

[1] They are actually the last words. The inaccuracy implies that the *Eclair* received an oral communication, and the *bona fide* character of the error increases, if anything, the value of the *communiqué*.

"'But pray write straight, my dear fellow!' said the commandant.

"Dreyfus tried to recover himself, but almost at once his hand was shaking and trembled nervously.

"'What is the matter then?' asked Du Paty.

"'My fingers are cold,' he answered, after some hesitation and stammering.

"That day the temperature was fairly good, and there was a fire in the bureau.

"The commandant continued to dictate, but Dreyfus soon said:

"'I don't know what's the matter with me, but I find it impossible to write.'

"Then the commandant got up quickly, stepped to the door of the next room, and opened it.

"M. Cochefert, *chef de la Sûreté*, and Commandant Henry, employed in the department of statistics, entered the bureau.

"M. Cochefert stepped up to Dreyfus, laid his hand on his shoulder, and said:

"'In the name of the law, I arrest you.'

"'But why? What do they accuse me of?' said the captain.

"'You know well enough,' replied Du Paty. 'Your emotion in writing the letter which I dictated to you just now is sufficient proof.'

"'I assure you I do not understand,' replied Dreyfus, quite upset.

"'Come, come! It is useless for you to argue before such evidence. Your treason is discovered.'

"The captain continued to protest his innocence, saying that he was the victim of an error or of an act of vengeance; but the *chef de la Sûreté* put an end

to the scene by handing him over to Commandant Henry, who at once led him off, and made him get into the carriage which was waiting at the door of the Ministry. The two officers were in *mufti*, and nothing in their behaviour could excite a suspicion that one of them was a prisoner.

"Ten minutes later the carriage stopped at the prison called the Cherche-Midi, and the two officers went in unnoticed by any one towards the chief detective's room, where Major Forzinetti, the commandant of the Paris military prisons, awaited him.

"Commandant Henry gave Forzinetti an order from the Minister of War, ordering him to enter the Captain Dreyfus, accused of high treason, without inscribing his name on the prison register; also to put him *au secret*, so that he should not be able to communicate with any of the warders except the chief one, who alone was to take him food. The order likewise contained a formal prohibition to Forzinetti and to the chief warder to divulge to any one the fact of the captain's arrest."

The story about Dreyfus' nervousness in writing at Du Paty's dictation seems to rest only on the latter's evidence, which we shall see is worse than worthless. It would, however, have been natural enough for Dreyfus to scent the plot against him, and to have exhibited some degree of agitation under the circumstances. But it is now known that the nervousness only existed for Du Paty's melodramatic imagination, formed, one would think, by reading Gaboriau's novels. One thing is certain. The French War Office have issued forged

confessions of guilt, forged correspondences between Schwartzkoppen and Panizzardi; but they have never, though repeatedly challenged, had the courage to give to the world this copy made at Du Paty's dictation by Dreyfus of the bordereau itself. We may conclude that the signs of nervous agitation in it are not very obvious, and that the difference in the handwriting between his copy and the original is too sensible. It is also worth while to note what to Du Paty's mind constituted evidence. Only an imagination distorted by the anti-Semitic ravings of Drumont could have led him to suppose that by his trumpery dictation-lesson he had "reconstituted the crime and demonstrated it." Judge Bard has seen the photograph of Dreyfus' dictation, and affirms the writing to be firm and regular.

Dreyfus was now safe in prison. Let us next read what Forzinetti, the head of the military prisons of Paris, and a man who had had much experience of prisoners, thought of the officer now intrusted to his keeping. In the *Figaro* of October 1897 he printed his impressions, and signed his name to them. He begins by relating how, on October 14, 1894, he received a secret dispatch from General Mercier, Minister of War, ordering him to prepare an officer's cell. Early on October 15 Colonel D'Aboville came in person from Mercier to inform him that Captain Dreyfus would be brought that morning. D'Aboville was also bearer of verbal instructions from Mercier.

CAPTAIN ALFRED DREYFUS.

"One of these instructions was that I should intern the prisoner most completely *au secret*, and see that he had by him neither knife nor paper, pen, ink or pencil."

We shall see that the French Minister of War, Cavaignac, was far from taking such precautions about Colonel Henry, forger-in-chief, in August 1898. Forzinetti continues:—

"He was also to be given the ordinary fare of condemned prisoners, but this instruction was not carried out, because I pointed out how irregular it was."

Note that Mercier, ten full weeks before Dreyfus is condemned, decrees that he shall be dealt with in prison as if he were already proved guilty.

"Colonel D'Aboville, though without defining them, ordered me to take all precautions which I should judge to be necessary to prevent Dreyfus' incarceration being known inside or outside the prison. . . . He put me on my guard against the steps which would probably be resorted to by the *haute juiverie* as soon as ever they learned thereof."

The anti-Semitic bias of Mercier is too clear in this instruction. He seems to have imagined that he had made a raid on the Jewish camp and seized an important hostage. All the Jews in Paris, when they heard about the capture, were to assemble and pull the prison down.

"Towards mid-day Captain Dreyfus, in civil dress,

arrived in a cab, accompanied by Commandant Henry and a police agent. This superior officer gave me the order for internment, which was signed by the Minister of War himself and dated October 14th. That proves that the arrest was decided on before they ever saw or questioned Dreyfus.

It is painfully clear that the French War Office condemns a Jew first and then proceeds to try him.

"A few moments later," continues Forzinetti, "I went to Captain Dreyfus. He was terribly excited. I had before me a man really out of his mind, with bloodshot eyes. He had upset everything in his room. I succeeded, with some trouble, in calming him. I had an intuition that this officer was innocent. He begged me to allow him writing materials, so that he might ask the Minister of War to be heard by him or by one of the general officers of the Ministry. He described to me the phases of his arrest, which were neither dignified nor soldierly.

"From the 18th to the 24th of October, Du Paty came, specially authorised by Mercier, to interrogate the prisoner. Before seeing Dreyfus he asked me if he could not enter the cell noiselessly with a lamp in his hand strong enough to cast a sudden glare full on the captain's face, for he wished to take him by surprise in such a way as to nonplus him. I replied that it was impossible.

"He subjected Dreyfus to two interrogatories, and each time dictated to him fragmentary phrases drawn from the bordereau, with a view to establish a comparison between the writings. . . ."

Du Paty, it is clear, was intended by nature for the comic opera, where his melodramatic instincts would have had free scope and have done his country no harm.

"During all this time," continues Forzinetti, "Captain Dreyfus continued in a state of abnormal excitement. From the corridor one heard him groan, cry out, talk at the top of his voice, always protesting his innocence. He threw himself against the furniture, against the walls, and appeared unconscious of the hurts he inflicted on himself. He had not a moment's repose; and when he was prostrated by suffering and fatigue, he threw himself, without undressing, on his bed. His sleep was haunted by horrible nightmares. . . . During those nine days of true agony, he took nothing but broth and *vin sucré*, and touched no other food."

Forzinetti then relates how on October 24 he went to Mercier, who asked him what he thought about the prisoner's guilt, "I replied without hesitation, 'They are gone off on a false scent. This officer is not guilty.'"

"After October 27," goes on Forzinetti, "Du Paty came nearly every day to subject the prisoner to fresh interrogatories and writing tests; he had never any other aim than to extort a confession, against which Dreyfus incessantly protested.

"Till the very day when this unfortunate man was before the magistrate who got the case ready (*magistrat rapporteur*) for the court-martial, he

only knew that he was accused of "high treason," but of what sort of high treason he had no idea.

"The 'instruction'[1] was long and minute, and during its course Dreyfus was so sure that he would not be committed, much less condemned, that he often said, 'What compensation shall I demand? I shall ask for the star (*croix*), and send in my resignation. That is what I said to Du Paty, who entered it in his report to the Ministry. He could get no evidence against me, for there cannot be any. No more can the *rapporteur*, who in his indictment only goes upon inferences and suppositions, without proving anything definite or positive.'

"A few minutes before he appeared before his judges he said to me, 'I hope now that my sufferings will soon be over, and that I shall soon be back in the bosom of my own family.'

"Unfortunately it was not to be so. After the verdict, Dreyfus was brought back into my room, where I was waiting for him. When he saw me he exclaimed with a sob, 'My only crime is that I was born a Jew. This is what a life of honest hard work has brought me to. Oh, why did I ever enter the Military School? Why did I not resign, as my family wished me to do?' . . . The next day his counsel, Maître Demange, when he entered the room, opened his arms, and clasping him to himself said, 'My child, your condemnation is the greatest infamy of the century.'

"I was altogether upset."

Let us go back to October 15. From that day

[1] This answers to the preliminary hearing of a criminal case before a magistrate previous to the committal of a prisoner.

until December 5, 1894, Dreyfus was kept *au secret*, and not allowed to communicate with his wife or with a legal adviser. Meanwhile Du Paty, not content with his inquisition inside the prison, was torturing the poor man's wife outside. For seventeen days successively he visited her house, and ransacked it in vain, yet quite illegally, hoping to find incriminating letters and documents. All the time he refused to tell her of what crime her husband was accused, or even where he was. He also forbade her to try to communicate with him in any event, and threatened her with the worst penalties if she informed her relatives of his arrest. All this time he accused her husband to her of the worst crimes, of being a coward, a wretch, a traitor, an abandoned debauchee, a man who led a double life of seeming honesty and virtue with her, of treachery and vice out of her sight.

The accusers of Dreyfus inside the War Office characteristically divulged in advance the fact of his arrest to the Clerical and anti-Semitic press of Paris; first of all, of course, to the *Libre Parole*, which, on October 29, 1894, asked in its columns if an important arrest for high treason had not been effected. The next day the *Eclair* replied that it was so. On November 1 the *Libre Parole* published a sensational article headed "Arrest of a Jewish officer."

But this press seems to have had a mistaken idea that Mercier, the Minister of War, was wavering, and

that he was more disposed than itself to concede to a Jew the faintest right to be innocent. Accordingly the *Petit Journal* and the *Intransigeant* opened a campaign against him "for wishing to stifle the matter because the officer was a Jew;" and on November 5, 1894, Drumont filled his pen as usual with the poisonous ink of the sacristy and poured out the following:—

"Look at this Ministry of War, which ought to be the sanctuary of patriotism, but which is a cavern, a jakes of endless scandals, a sewer, not to be compared with the stable of Augias, for the simple reason that no Hercules has so far tried to cleanse it. Such premises should embalm honour and virtue. Instead of that there is always something that stinks inside them."

And the article ended thus: "To-morrow no doubt they will applaud the Minister of War, when he comes and boasts of the measures which he has taken to save Dreyfus."

The same day in the *Intransigeant*, Rochefort published an article which began thus:—

"Mercier, as he calls himself, general by grade and Minister of War, owing to circumstances independent of his will, should have been taken several days ago by the scruff of his neck and kicked as brutally as possible down the stairs of his own Ministry:

"1st. Because, after refusing to have the traitor Dreyfus arrested, he only made up his mind to it

under menace of a scandal which the honest colleagues of the said Dreyfus were resolved to provoke.

"2nd. Because he has tried to conceal and have denied the fact of the traitor's incarceration, notwithstanding that the latter was thrown into the Cherche-Midi prison fifteen days ago.

"3rd. Because, in spite of the full confession of the guilty man, Mercier has put it about that there were merely presumptions against the traitor."

These attacks continued until November 7th, and then stopped all of a sudden; and on November 8 the *Intransigeant* struck a new key. In its article for that day Mercier, along with Boisdeffre, is extolled as a patriot, a great man, who is determined to push the matter through. The persons who are now in the way of the vendetta are "his colleagues in the French Cabinet and Casimir Périer, the President of the Republic." As for Mercier, he has become a new Boulanger.

If Mercier had ever given the victim the benefit of a doubt, it was evident that he did so no longer. He had now been intimidated, if, indeed, he had ever needed to be; had now resigned himself to the dictates of his official conscience, if, indeed, he had ever had any other. It was all made clear on the 28th of November, when he, of all men in France, the most bound by all considerations of honour and policy not to prejudge the case of an officer who was only accused, and was still to wait three whole weeks before he even went before the court-martial,

sent a communication to the *Figaro* to say that he, Mercier, "had the most positive proofs of Dreyfus' treason, and that he had laid them before his ministerial colleagues. It is not permitted to me," he went on, "to say more, since the preliminary hearing is not concluded. All that one can repeat is this, that the guilt of this officer is absolutely certain, and that he had civil accomplices."

After this the reader will not be astonished at what followed in the court-martial itself. To this I now turn.

Bordereau.

Sans nouvelles de rien indigne — je vous
dis[illegible] me voici à vos ordres pour la grande
Esterhazy.

randonnée. J'ai reçu vos reproches à ce sujet
avec douleur, car je crois avoir fait tout mon
Bordereau.

devoir en me mettant à votre disposition
1° avec votre lettre du [illegible] m'annonçant
Esterhazy.

votre départ, et votre hydrophobie
[illegible] à vous rendre, de crainte de [illegible]
Bordereau.

de [illegible] de Paris possible. Si vous
Esterhazy.

[illegible] de 920 et 6 manières d'actes [illegible]
Bordereau.

attaque.
Esterhazy.

[illegible] tout avec [illegible] responsable, mais ne m'écrivez
[illegible] votre part des ici rien, je vous [illegible] tout.

Bordereau.

2° avec votre lettre de [illegible] circonstances
[illegible] quelques modifications [illegible]
Esterhazy.

[illegible] je prends [illegible] je vous [illegible]
[illegible] [illegible] [illegible] chez les [illegible].

Vu
Le Chef du Bureau de l'Administration pénitentiaire
[illegible signature]

Iles du Salut, 5 mars 1897

Ma chère et bonne Lucie,

Je t'ai écrit quelques lignes le [illegible] en attendant tes chères lettres qui ne me sont pas encore parvenues. Je viens d'ailleurs d'apprendre, que par suite d'une avarie de machine, le paquebot qui fait le service des courriers, n'était pas encore arrivé à la Guyane.

Comme je te l'ai dit dans ma dernière lettre, nous savons trop bien, et les uns et les autres, quelle est l'horrible acuité de nos souffrances, pour qu'il soit utile d'en parler.

Mais ce dont je voudrais imprégner ce froid et banal papier, c'est de tout ce que mon cœur contient pour toi, pour nos enfants. A tout instant du jour et de la nuit, tu peux te dire que ma pensée est avec toi, avec eux, et que lorsque mon cœur n'en veut plus, que le cœur trop plein déborde, c'est un mouvement les

CHAPTER IV.

THE COURT-MARTIAL

On January 8, 1898, appeared in the *Siècle* at Paris a document which threw a flood of light on the Dreyfus court-martial of 1894. This was the *acte d'accusation*, or prosecutor's brief, drawn up for the judge by an officer named Besson D'Ormescheville. It represents the net result of the investigations and interrogatories of Du Paty de Clam, and of the preliminary inquiry. The court-martial began on December 19, 1894, and was composed of the following officers:—Colonel Maurel, 129th infantry, president; Lieutenant-Colonel Echeman, 154th infantry; Commandants Florentin and Patron of the 113th and 154th; Commandant Gallet, 4th mounted chasseurs; Captains Roche, 39th line, and Freystœtter, marine infantry. Commandant Brisset conducted the prosecution as commissary of the Government.

As soon as the witnesses had been called over, the commissary of the Government demanded that the case be heard *in camera*. Maître Demange opposed, and asked to be allowed to plead or argue the point. "Seeing," he began, "that the only piece of evidence (*unique pièce*)——"

The President rudely interrupted him, and before he could finish his sentence the commissary of the Government broke in on him with the words—

"There are other interests at stake than those merely of the accusation and defence."

This was all too true. Dreyfus was a Jew, and the clerical and military press wanted a victim. If a Jew traitor could not be found, then one must be created. Turn we now to the *acte d'accusation.* It begins by stating the charge against Dreyfus:—

"Dreyfus is charged with having, in 1894, intrigued with, or communicated information to, one or more agents of foreign Powers, with the aim of supplying to them means of committing acts of hostility or waging war against France, by handing over to them secret documents."

This disposes of the idea which at first was current in Alsace, and has long ago gone the round of the European press, that the charge against Dreyfus concerned Russia, which was in close alliance with France then as now. The Russians could get any military information they liked from their French allies for the mere asking

The bordereau is next described:—

"The basis of the accusation levelled at Dreyfus is a *lettre missive,* written on thin paper, and neither signed nor dated, which is found in the dossier, and which proves that military documents have been betrayed to a foreign Power."

Then we read that General Gonse, who had this letter in his keeping, sent it to Du Paty on October 15, 1894; that Gonse declared to the examining magistrate that "it had been addressed to a foreign Power, and that it had come into his hands; but, in accordance with the formal orders of the Minister of War, he could not indicate how the letter had reached him."

It seems strange that, where the honour, nay, almost the life of an officer, was at stake, the judges should have been prevented from knowing everything which could be known about the provenance and origin of the one incriminating document they had.

Why did not the judges demand it?

"The examination of the report (of Du Paty) shows that the inquiry was conducted without any precipitancy, and, in particular, without aiming at any one *à priori*."

On the contrary, with quite indecent haste Du Paty had jumped to the conclusion that Dreyfus was the traitor. How hurried and unintelligent was their purview the next words reveal:—

"The very nature of the documents addressed to the agent of a foreign power along with the bordereau, shows clearly that it was an officer who wrote the bordereau and sent the documents, and also that this officer must belong to the artillery, since three of the notes or documents sent concern that arm."

Clearly these military lawyers counted on their fingers only. The least reflection, had they been capable of it, would have shown them that the writer of the bordereau could not belong to the artillery. For, firstly, every artillery officer, as the bordereau itself declares, had in his possession the firing manual betrayed. How then could the writer of the bordereau, were he a gunner, have laid stress on the difficulty he had in borrowing it? On the other hand, a lieutenant of artillery, named Bernheim, has attested that in spring 1894 Esterhazy asked him to lend him a firing manual, which he did after getting permission from his captain. Esterhazy took it, and Bernheim has never been able to get it back from him.

Secondly, the hydraulic brake mentioned in the bordereau was either the one of 1889, which was well known, and of which a printed description could be bought for a few pence, in which case any one could get hold of it besides Dreyfus, *or* the writer meant the new hydro-pneumatic brake of 1894, but was so ignorant of what he was talking about as to call it the hydraulic brake. But no artilleryman, least of all Dreyfus, would have exhibited such ignorance.

Thirdly, the writer uses a phrase for the *behaviour* of a gun which no French artillery officer ever uses, since he employs the words *s'est conduite la pièce* instead of *s'est comportée*. Now if the bordereau could not have been from the pen of an artillery officer, it

could not be the work of Dreyfus, one of the most scientific gunners in the army. That not one of the seven officers should have seen such elementary truths as these fills one with astonishment.

"From an attentive examination of the handwriting of the officers employed in the bureaux of the *état major* of the army, it was clear that the writing of Captain Dreyfus presented a remarkable resemblance to that of the incriminating *lettre-missive.*"

One naturally asks why these amateurs in graphology limited their horizon to the *état major.* For every one artillery officer employed inside that bureau, there were a hundred at work outside. Why did they not extend their "attentive examination" to these as well? As a matter of fact, it was the Marquis de Morès and Du Paty de Clam who, for sinister reasons of their own, first turned on to the unfortunate Dreyfus the suspicions of the guileless General Gonse, then under-chief of the *état major.* The Marquis in question was shortly afterwards sent on an idle mission to the borders of Tripoli, where he was promptly assassinated by the hand of a fanatical native. Was he, like Picquart, sent there in order to disappear? Is it possible that he had a conscience? Did pangs of compunction about Dreyfus' fate motive him to threaten the War Office with revelations? One thing is certain, that, like so many actors in this sinister drama, he died in a very mysterious manner.

"The Minister of War (Mercier) was duly informed of the proceedings so begun, and ordered a comparison of the bordereau with specimens of Dreyfus' handwriting. M. Gobert, expert of the Bank of France and of the Court of Appeal, was appointed to examine the matter, and received from General Gonse on October 9, 1894, the necessary documents. A few days after they were sent, M. Gobert asked of Gonse, who was calling on him, the name of the person accused; but he naturally refused to give it him. A few days later, M. Gobert was invited to send in his conclusions along with the specimens which had been intrusted to him; for the pretensions he had manifested seemed all the more suspicious, because they were accompanied by a request for more time. The 13th of October, M. Gobert sent his conclusions in the form of a letter to the Ministry, drawn up in these words:— 'Considering the rapidity with which I have been obliged to examine the matter, I think I ought to say that the *lettre-missive* in question may quite well have been written by another person than the one suspected.' *The line taken by M. Gobert having inspired a considerable mistrust of him*,[1] the Minister of War asked the Prefect of Police to bring in M. Bertillon, chief of the service for the identification of criminals."

Thus Mercier looked for another expert, where any one else would have looked for another traitor. The celebrated M. Bertillon lost no time. He

[1] I italicise in my translation passages which better than others express the *parti pris* of the French war officials and their monstrous hurry to get Dreyfus condemned.

received the bordereau along with the specimens of Dreyfus' handwriting on the morning of October 13th, and on the evening of the same day:—

"He formulated his conclusions in the following terms:—'If one sets aside the hypothesis of a document very carefully forged, it clearly appears that one and the same person wrote the letter (*i.e.* bordereau) and the pieces communicated for comparison.'"

The Minister of War had now got hold of the expert he wanted, and on the very next day signed an order for the arrest of Captain Dreyfus, which, on the following day, October 15th, Du Paty de Clam and Henry executed.

I abstain from reproducing the long passage which next follows, amounting to one-tenth of the whole, and destined to discredit the report of M. Gobert. He seems to have recognised in the specimens sent for comparison the handwriting of Dreyfus, in conjunction with whom he had had to compile an official report about the financial measures which in time of war it would be necessary for the bank to take in order to defray expenses. It is also clear from D'Ormescheville's remarks, that M. Gobert suspected foul play, and declined to be the tool of a War Office which told him a little too plainly that what they wanted was an *expertise* "to order." He accordingly declined to have anything more to do with the case. Not so M. Bertillon.

"In his report of October 23rd, drawn up after a more profound examination, and based on a greater number of specimens, M. Bertillon formulated the following conclusions, which are more positive than his former ones: 'The proof is made, it is peremptory; you know what was my opinion from the very first. It is now become absolute, complete, and unreserved.'"

M. Bertillon arrived at his conviction with the help of some letters of Mathieu Dreyfus seized by Du Paty, and a marvellous plan of a *citadelle des rebus graphiques*, ditched and intrenched with breastworks and revetments. This cabalistic proof seems to have satisfied Dreyfus' judges, though its production in the first Zola trial convulsed every one with laughter, and its author left the court a discredited charlatan.

Let us resume the text of the prosecutor's brief:—

"Before Captain Dreyfus was arrested, and when as yet he could have, supposing he was innocent, no idea of the charge formulated against him, M. le Commandant du Paty de Clam subjected him to the following test:—He made him write a letter in which were enumerated the documents which figure in the bordereau. As soon as Captain Dreyfus caught the drift of this letter, his writing, regular up to that point, became irregular, and he became so agitated that persons present noticed it. Asked why he was so agitated, he declared that his hands were cold. Now the temperature in the

GENERAL MERCIER.

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bureaux, which Captain Dreyfus had entered a quarter of an hour before, was quite good, and the first four lines written show no trace of the influence of cold."

This is an episode I have already touched upon, and I cite it only by way of pointing out that the writer in the *Eclair* was well informed, and must have been behind the scenes. Indeed it is probable that he got his information from Henry or Du Paty. I note this because, whoever he was, he is a prime witness to the use in the trial of a secret document. I return to my text :—

"Dreyfus, during the two years he has passed in the *état major*, has attracted notice in the various bureaux by his very indiscreet attitude and odd behaviour. In particular, he has been found alone late in the afternoon, and even after hours, in other bureaux than his own, bureaux in which it is not clear that his presence was needed. It is clear, from the depositions of several witnesses, that he arranged to be often at work at hours not contemplated in the rules, either by asking leave of his chiefs for reasons which at the time they had no call to verify, or without asking leave. This course permitted Captain Dreyfus to be often alone in the bureaux to which he belonged, and to look in them for anything that might interest him. It is thus quite conceivable *that he might also, without being seen by any one, have made his way into other bureaux* from analogous motives."

In public offices it is too common for employés

to hurry away an hour before they ought to; but it appears that in the French War Office special industry and addiction to hard work expose a man to the suspicion of being a spy. If Moltke and the organisers of the German army had been in the habit of quitting work early and hurrying off to cards and ladies, the victory of Sedan would never have been won. Are not the authorities of the French War Office paving the way for another such defeat?

"Captain Dreyfus underwent a long interrogatory before the officer of judiciary police (*i.e.* Du Paty). His answers, to put it mildly, *constantly admit of contradiction.* Some of them deserve special notice, notably that which he gave on being arrested on the 15th of October last, when they searched his pockets, and he said, 'Take my keys, open everything in my house, you will find nothing.' A search was made at his house, and gave, or very nearly gave, the results indicated by him. But it is permissible to suppose that, since no letter, even no family letters, with the exception of those addressed to Madame Dreyfus during his engagement to her, no notes, even of tradesmen, were found in the course of this search, the true explanation is that, whatever could in any way compromise him had been hidden or destroyed long before."

Where the contradiction lies between Dreyfus' assertion and the facts is not very clear. The next bit of reasoning is beautiful. There were no treasonable documents, *ergo*, there had been, but

Dreyfus had destroyed them. But why should a German spy in the French army be expected to destroy with so much care his butchers' and bakers' bills, as well as his correspondence with the Schwartzkoppens and the Panizzardis? However, the French War Office was not to be cheated in this way; so, from 1896 onwards, they set their intelligence department, presided over by Henry and assisted by MM. Lauth, Lemercier-Picard, Du Paty, and Drumont, to supply all these documents which Dreyfus had, in 1894, so unkindly neglected to have in his house ready for them to seize.

"Dreyfus' answers under cross-examination are everywhere interspersed with persistent denials of, and also with protests against, the charge alleged against him. When the cross-examination first began, he said that he seemed in a vague way to recognise in the bordereau the handwriting of an officer employed in the bureaux of the *état major*. Afterwards in our presence he withdrew formally this allegation."

In face of the above admission, what becomes of Dreyfus' pretended confession of guilt? What of the hypothesis of the experts, Couard, Belhomme, and Varinard, accepted in January 1898 by Esterhazy's judges and remunerated at the rate of 10,000 francs apiece by the French civil tribunals, that Dreyfus *traced* the bordereau from Esterhazy's handwriting in order to conceal his own guilt and incriminate another?

"If one compares the answers which Captain Dreyfus gave with the depositions of some of the witnesses heard, one is left with the very painful impression that he often disguises the truth; and that, whenever he feels himself hard pressed, he gets out of it without much difficulty, thanks to the supple character of his mind."

How perfidiously clever of Dreyfus not to fall into any of the traps laid for him! He not only will not confess his guilt, but he routs their arguments. What a want of respect for his inquisitors!

"It seems that his motive for this systematic ferreting, for his provoking these conversations of an indiscreet kind, for these investigations over and above what he was charged to know, was that he felt the necessity of procuring as much information as possible, oral or written, before his stay in the War Office came to an end. Such an attitude is suspicious from many points of view, and is very like that of persons who practise espionage."

We turn over two pages and we have an example of Dreyfus' suspicious zeal for information:—

"In the month of February last, *Corporal* Bernolin, then secretary of M. le Colonel de Sancy, head of the second bureau of the *état major*, made a copy of a work of about twenty-two pages on Madagascar in the ante-chamber of that higher officer's study. The making of this copy took five days, during which both the minute and the copy of it were left in a *carton*[1] on the *corporal's* table at the end of each

[1] An open cardboard box, such as one lays letters to be answered in.

day's work. Moreover, when, during working hours, the non-commissioned officer left his room for a time, the work he was at was left open, and could consequently be read."

This minute was one of the documents enumerated in the bordereau, and Schwartzkoppen, as we read above, has related to Panizzardi how he received it along with the others from Esterhazy in the spring of 1894. If it was given to a *corporal* to copy, and left lying about as described, surely it needed no particular ferreting on Dreyfus' part to learn, supposing he did ever learn, its contents. Any one who liked could look at it, yet the indictment argues that, because Dreyfus had read it, therefore he wrote the bordereau. *Why* should not the corporal equally well have written it? But then Dreyfus' habits were so strange. He wanted to know about everything. If the best of the young French officers on being breveted go into the staff office for a time, it is nevertheless evident that they are not supposed to learn what goes on there by way of completing their military education. And yet this is what Dreyfus set himself to do. What a suspicious wretch to be ever trying "to procure as much information as he could" about matters pertaining to his profession! Let French officers take warning. None but spies are expected by the French War Office to be anxious to learn their business.

The letters of Dreyfus, written since his arrest

in 1894, and of which I have translated the first few and given them in the course of the present pages, reveal him to us as the most tender and affectionate of husbands and fathers. Yet listen to this :—

"Captain Dreyfus is also *en relations* with a woman Dida, older than himself, very rich, and with the reputation of paying her lovers, and who at the end of 1890 was assassinated by Wladimiroff. Captain Dreyfus, who was then at the Military School, and had just married, was cited as a witness in this scandalous business, which came before the Assize Court of Versailles, January 25, 1891."

Now, turn to the testimony of the doctor, A. Lataud, who attended Mme. Dida, published lately in the high-class scientific journal *La Médicine Moderne* :—

"I was cited as a witness before the Versailles Court, along with Doctor Motet and several others who had come into contact with the victim. Dreyfus was also cited, and the President of the Assizes complimented him on the high principle he had shown in all his behaviour in respect of Mme. Dida. Such are the facts, on which it is necessary to insist, not only because they have been falsified (to wit, in the Dreyfus case), but also because we cannot allow a stain to be inflicted on the memory of Mme. Dida, who has left children."

Let us resume this part of the act of accusation :—

"Has Dreyfus since his marriage changed his habits in this respect? We think not, for he has

declared that he stopped the woman Y—— in the street in 1893, and that he made the acquaintance of the woman Z—— at the races in 1894. The first of these women is Austrian, and *speaks several languages well, especially German.* She has a brother who is an officer in the Austrian service, another is an engineer, and she receives officers socially."

We shall see presently that French officers know German at their peril; but it appears from the above that it is also dangerous for one of them even to possess the acquaintance of a lady in good society who speaks that language.

"Although Dreyfus has declared that he never cared for gambling, yet it appears from the information collected by us on the point that he has frequented several clubs in Paris where they gamble a good deal. In his cross-examination he has admitted having gone to the Press Club, though only as a guest, for dinner. He declares that he did not play cards there. There are fast clubs in Paris, like the Washington, the Betting Club, the Fencing Clubs, and the Press Club; but they have no lists of members, and, their *clientèle* not being very respectable, the witnesses *whom we might have found* would have been not a little suspect; consequently we have refrained from hearing them."

Probably they did hunt for such witnesses; but even the betting men of Paris were too honest for the Sandherrs, the Henrys, and De Clams of the *état major.* But what does that matter? Dreyfus is a convicted gambler, and that is enough.

"Captain Dreyfus' family lives at Mulhouse. His father and mother are dead. He has three brothers left and three sisters. The latter are married, and live, one at Bar-le-Duc, another at Carpentras, and the third in Paris. His brothers get their living from a spinning-mill at Mulhouse. The eldest, Jacques, aged fifty, has not opted for the French nationality."

But only the eldest of the four brothers really lived at Mulhouse. The innuendo is that he was not loyal to France; but we have seen what M. Lalance had to say on this point.

The indictment, after a little, gives a sketch of Dreyfus' career. He entered the Artillery, and was admitted at the *Ecole de Guerre* on April 21, 1890, the sixty-seventh in order of merit. He quitted it in 1892, the ninth in the same order, and with the note "*très bien*" added to his name. In the leaving examination one of the examiners, a general after the heart of Drumont, gave Dreyfus lower marks than he was entitled to, because he was a Jew. Dreyfus detected the unfairness, and successfully exposed it. D'Ormescheville relates the incident, and then comments as follows:—

"It may be remarked that the mark of which Captain Dreyfus complained was secret; and one justly wonders how he could have found out about it, save by some indiscretion which he committed *or provoked.* As, however, *indiscretion is his leading characteristic,* we need not be surprised at his having been able to find out these secret marks."

Dreyfus "complained that this mark had been given him from *parti pris*, and because of his religion."

What does all this amount to? This, that anti-Semitic generals in the French army cheat when they are put on to examine, and are sometimes caught at it. The Jesuits, who in France train young men of good family for the army, have been many times convicted of getting hold beforehand of the questions to be set at Saint-Cyr, and of giving them to their pupils. Last May, for example, the pupils in the Jesuit school of Sainte-Geneviéve at Paris, an establishment patronised by the Comte de Mun, were warned beforehand what essay was to be set, and one of them generously wrote to a friend in the Lycée at Tours, and handed on the "tip" to him. Billot, the Minister of War, as might be expected, declared that it was a mere coincidence that the Jesuit pupils knew beforehand that the alternative subjects set for the essay would be "The Campaign in Egypt," "Bonaparte and Kleber," *or* "The Letter of Colbert to Louis XIV. proposing the founding of an Academy of Science." However, the papers were cancelled. In 1876 the Jesuits of the Rue des Postes were convicted of the same offence, and as Gambetta was then alive, they were treated with less consideration than Méline and Billot lately showed. The general who falsified Dreyfus' marks must have been educated in a Jesuit school, and no doubt regarded his action as patriotic, just as

Drumont and Verwoort, and their epauletted readers, regard Henry's forgeries. Dreyfus, says the *acte d'accusation*, "provoked indiscretions." How ill-bred of him, to be sure, to detect and expose an injustice done to him as a Jew! However, it all goes to prove that he wrote the bordereau. But let us pass on.

"As regards the journeys of Captain Dreyfus, it is clear from his answers under cross-examination that he could go to Alsace by stealth almost whenever he wished to do so; and that the German authorities shut their eyes to his presence there. This faculty of clandestine travel may properly be made a charge against him."

But is not Alsace still in the eyes of patriotic Frenchmen a part of France—even M. Hanotaux has lately declared it to be so? Where, then, was the harm of dodging the German authorities and going there? Dreyfus, indeed, never did so, though he may have said that it could be done. However, the official *Strassburger Post* of January 10, 1898, states the truth in the following paragraph:—

"In reality, Dreyfus asked for a permit to be in Alsace in June and July 1892, and on both occasions his demand was rejected. In December 1893 a permit was granted to him to be there for five days, because his father was seriously ill."

It is the more necessary to emphasize this point, because Esterhazy or his reporters in their recent

revelations in the *Observer* and *Daily News* have revived this particular fable about Dreyfus, seeking to incriminate him thereby. The passage which follows deserves to be quoted, because it suggested to Esterhazy the lame and false account lately attributed to him by certain English journals of the circumstances under which he wrote the bordereau :—

"Captain Dreyfus insinuates that it is the practice of the Ministry of War to set traps and decoys to catch individuals. The object of his insinuations appears to us to be to leave himself with a means of defending himself should he be some day caught with secret or confidential documents in his pocket. It was no doubt with a view to this that *he took so little pains to disguise his handwriting* in the incriminating bordereau. On the other hand, the few wilful changes introduced in it by him were meant to enable him to argue that it was a forgery in the very improbable contingency of the document finding its way back to the Ministry after reaching its destination."

It is not very surprising if Dreyfus did refer to the decoy-duck habits of the Ministry of War. They are the elementary tactics of the French police, civil and military. The graphological argument of D'Ormescheville assumes an almost comic air in view of the finding of the later experts, that the bordereau was *decalqué sur l'écriture d'Esterhazy*, that is to say traced letter by letter on his writing.

Then follow three paragraphs about the bordereau, and a final summing up of the case against Dreyfus, as follows:—

"In short, the grounds of the accusations brought against Captain Dreyfus are of two kinds—moral and material. We have examined the former. The latter consist of the incriminating *lettre missive*. The majority of the experts, as well as ourselves and the witnesses who have seen it, are agreed that, except for intentional dissimilarities, it offers a perfect resemblance to the authentic writing of Captain Dreyfus.

"Over and above what precedes, we may say that Captain Dreyfus possesses, along with very extensive knowledge, a remarkable memory; that he speaks several languages, *notably German*, which he knows thoroughly, and Italian, of which he pretends that he has but vague ideas; that he is, moreover, gifted with a character very supple, nay, even obsequious, such as is very suitable to relations of espionage with foreign agents.

"Captain Dreyfus, therefore, was in every way marked out for the miserable and disgraceful mission which he has solicited or accepted, and to which, most happily perhaps for France, the discovery of his plots has put an end."

Most happily indeed! The reference to the German and Italian languages once more proves how mistaken were those who alleged that Dreyfus' pretended treason had anything to do with Russia. Those who conducted his prosecution were, it is

clear, resolved that he should be made to talk Italian as well as German, even if he did not know it. The court-martial seems to have entertained no doubt of the extreme impropriety of a French officer's knowing German, even although he were an Alsatian. It is also clear that it is dangerous for a French officer to have "extensive knowledge" or a "good memory," or any adaptability of mind and manner. If he has any of these characteristics, he may be mistaken for a spy, and if he be also a Jew, will certainly be condemned as such. Of the two score or so of French officers who, in connection with the case, have come before the eye of Europe, there is certainly not one, except Picquart, who has shown any of the solid and sterling qualities of mind and character which have earned for Dreyfus condemnation and infamy in the eyes of Frenchmen. And this is probably the reason why Picquart has been also accused of treason and forgery, and kept for months *au secret* in a military prison, as were the *intellectuels* of Naples sixty years ago by King Bomba.

I meet every day friends who, unacquainted with the peculiarities of French military justice, ask me, "But do you really think that Dreyfus was wholly innocent?" To help them to form a judgment for themselves it was necessary to thus translate and analyse the "brief" of those who prosecuted and condemned him. It is a document instinct throughout with the inspiration of Loyola, and it proves

most painfully the fierce aberrations of which men are capable who know nothing of judicial methods, and whose minds are full of sectarian prejudices. Henceforth it belongs to history, and will be catalogued among the darkest pages of human injustice.

CHAPTER V

THE VEHMGERICHT

Commandant Forzinetti has given us some glimpses of the agony endured by Captain Dreyfus when he found himself suddenly arrested and thrown into prison on a vague charge of treason. For seven weeks he was not allowed to see an advocate or communicate with his wife and friends. At last, on December 5, he was allowed to write to his wife. The letters which from that day up to March 5, 1898, the unhappy man wrote to her have been published in Paris under the title *Lettres d'un Innocent.* They are sad reading; but the soldierly patience, courage, and dignity, the warm home and family affections which breathe through them, will make them a French classic for all time.

The first two of the series I now give. If they seem overwrought to the reader, I would beg him to bear in mind that for seven weeks Dreyfus had been in solitary confinement, save for the visits of his inquisitor and torturer Du Paty.

"Cherche-midi Prison, *Tuesday, December 5th,* 1894.

"My dear Lucy,—At last I can write you a word, for they have just informed me that I shall be put upon my trial on the 19th of this month. They refuse me the right to see you.

"I will not tell you all that I have suffered, for in the whole world there are no words pathetic enough for that. Do you remember my telling you how happy we were? Everything smiled for us in life. Then all of a sudden a clap of thunder so appalling that my brain still reels. I, accused of the most monstrous crime that a soldier can commit! To-day again I feel myself afresh the plaything of a dreadful nightmare.

"But I have hopes in God and in justice, and the truth will end by declaring itself. My conscience is calm and quiet, and reproaches me with nothing. I have always done my duty, I have never stooped to anything. I have been overwhelmed and prostrate in my dark prison in solitary converse with my own brain. I have had moments of wild madness, I have even wandered; but my conscience kept awake. And it said to me, 'Lift up your head and look the world in the face. Strong in your good conscience, walk straight and hold yourself upright. It is a terrible trial, but you must undergo it.'

"I do not write to you any more, for I want this letter to go to-night. But write me a long letter, and tell me in it all that our household are doing.

"I embrace you a thousand times, as I love you, as I adore you, my darling Lucy. A thousand kisses for the children. I don't dare to speak to you more at length about them, for the tears come into my eyes when I think of them.

"Write to me soon. ALFRED.

"My kindest regards to all the family, and do tell them that I am to-day exactly what I was

yesterday—solicitous only of one thing, which is to do my duty.

"The Commissary of the Government has informed me that it will be Maître Demange who will undertake my defence. So I think I shall see him to-day. Write to me at the prison; your letters will pass, like my own, through the hands of the Commissary of the Government."

"*Thursday Morning, December 7th*, 1894.

"I await with impatience a letter from you. You are my hope, you are my consolation; otherwise life would be a burden to me. I should have nothing to do but to think of how they could accuse me of so awful a crime, of a crime so monstrous that all my being starts at it, all my body revolts. To have worked all one's life for one single end, and that end the taking of revenge against that infamous robber who had despoiled us of our dear Alsace, and then to see oneself accused of treason towards that country—no, my darling, my mind refuses to take it in. Do you remember how I told you about my being ten years ago at Mulhouse, in the month of September it was, and I heard one day passing under our windows a German band celebrating the anniversary of Sedan? My anguish was such that I wept with rage, that I bit my sheets with anger, and swore to consecrate all my strength, all my understanding, to the service of my country against those who thus trampled on the Alsatians in their anguish.

"No, no, I will not dwell upon it; for I should go mad if I did, and I must needs keep all my senses about me. And besides, my life has now but one

single aim, and that is to discover the wretch who has betrayed his country, to discover the traitor for whom no punishment will be too great. Oh, my own dear France, that I love with all my soul, with all my heart, you to whom I have consecrated all my strength, all my understanding, how can they have accused me of so stupendous a crime? I brood, my darling, over this matter till I literally choke. Never, in sooth, has any one undergone the martyrdom that I endure. No physical suffering is to be compared with the moral anguish that I feel whenever my thoughts hark back to this accusation. If I had not my own honour to defend, I assure you that I would much prefer death; at any rate, it would be forgetfulness.

"Write to me very soon. My affectionate regards to all."

The following letter is also of interest, for it shows how, as we have seen in the *acte d'accusation*, the very virtues of the man were construed as indicia of his guilt:—

"*December* 1894.

"My Own Darling,—I was waiting for your letter impatiently, and it has given me great relief; though, at the same time, it has brought the tears into my eyes when I think of you, my own darling.

"I am not perfect. What man can boast of being? But one thing I can assure you of, and that is, that I have always walked in the path of duty and of honour. Never have I had any compromise with my conscience in this respect. And also, if I have suffered much, if I have undergone

the most terrible martyrdom which it is possible to imagine, I have always been sustained in this terrible struggle by my conscience, which watched over me upright and inflexible.

"It is my rather haughty reserve, my liberty of word and judgment, my devotion to hard work, that to-day do me the deepest wrong. I have been neither supple, nor pliable, nor a flatterer. Never were we disposed to pay visits; but we kept strictly to our own quarters, quite content with our domestic happiness. And yet to-day they accuse me of the most monstrous crime that a soldier can commit.

"Ah! if I only had hold of the wretch who has not only betrayed his country but has also tried to throw the blame of his infamy on me, I hardly know what torture I would invent by way of making him expiate the moments through which he has made me pass. Nevertheless, one must hope that in the end they will find the culprit. Otherwise one would have to despair of justice in this world. So do you give up to this investigation all your efforts, all your intelligence, all my fortune if needs be. Money is nothing, honour is everything. Tell Mathieu that I reckon on him to do this. It is not above his strength. If it be necessary to move heaven and earth, we must do so to discover this wretch.

"I embrace you a thousand times, as I love you, your devoted ALFRED.

"A thousand kisses for the children, and my affectionate regards to all our relations, and thank them for their devotion to the cause of an innocent man."

And the following letters, written just before the court-martial began, indicate how sure he felt of the honesty of the officers before whom he appeared, and therefore of acquittal by them:—

"*Wednesday, December 15th*, 1894.

"My Dear Lucy,—I have received your kind letter as well as mamma's. Thank her for the sentiments that she expresses about me, sentiments of which I never doubted, and which I have always deserved, as I can confidently say.

"At last there draws nigh the day when I shall appear before my judges; so then there will be an end of this moral torture. My confidence is absolute; when one has a conscience that is clear and tranquil, one can face any one and any thing without flinching. I shall have to deal with soldiers who will listen to me and will understand me. The conviction of my innocence will make its way into their hearts, as it has never quitted those of my friends and of all who have known me intimately.

"My whole life is the best proof of it. I do not speak of the infamous and anonymous calumnies which they have spread abroad about me. They have not touched me, and I scorn them.

"Give a good hug to our darlings for me, and take for yourself the tender kisses of your devoted husband, Alfred."

"*Wednesday, December 23rd*, 1894.

"My Own Darling,—At last I reach the end of my sufferings, the end of my martyrdom. To-morrow I shall appear before my judges without flinching, head erect, without misgivings.

"The trial which I have just undergone, terrible trial as it has been, has yet purified my soul. I shall come back to you better than I was before. I will consecrate to you, to my children, to our dear families, all that still is left to me of life.

"As I have told you, I have passed through the most awful time. I have had real moments of raging madness at the mere thought of being accused of so monstrous a crime. I am ready to appear before soldiers as a soldier who has nothing to reproach himself with. They will see in my face, they will read in my soul, they will win the conviction of my innocence, as do all who know me.

"Devoted to my country, to which I have consecrated all my strength, all my understanding, I have nothing to fear.

"So sleep quietly, my darling, and do not be at all anxious. Only think of the joy that we shall experience at finding ourselves soon in one another's arms, in forgetting quickly these sad, dark days.

"Before long then, my own darling, before long I shall have the happiness of taking you as well as our darlings into my arms.

"And meanwhile, as we wait for that happy moment, a thousand kisses. ALFRED."

The seven officers who composed the court-martial do not seem to have been convinced by the "moral" proofs which take up so large a part of the *acte d'accusation.* Maître Demange had before long demolished the whole fabric, and proved that nothing worthy to be called evidence remained except the

bordereau, which was not the work of Dreyfus. Commandant Brisset, the commissary of the Government, is credibly reported to have said, "The moral considerations against Dreyfus have disappeared. But there remains the document written by Dreyfus. Take your magnifying-glasses, gentlemen, and examine it. I affirm it to be Dreyfus', along with the experts."

If he had said "along with Bertillon," he would have been more correct. Chief of the department of "criminal identification," Bertillon was ready to identify everything, and so were two minor graphologists, whom he was allowed to choose. M. Gobert and another independent expert, M. Pelletier, contested Bertillon's view. The *acte d'accusation* throws suspicions on M. Pelletier because he refused to wait upon M. Bertillon and work in his office. The Colonel D'Aboville, whom we have already come across, also set up for being an expert in handwriting, and made an affidavit affirming the bordereau to have been written by Dreyfus.

It is to the credit of the seven officers that even their magnifying-glasses failed to entirely convince them, and they still wavered. What followed—and it is momentous—has been related by the same correspondent of the *Eclair* whom I have already quoted and shown to have been behind the scenes. On the 14th September 1896 this officer communicated the following to that paper under the heading "The Traitor":—

"The reasons which militated in favour of silence no longer exist; the difficulties which might arise from the divulging of certain facts have been smoothed away, and we are persuaded that we can, without fear of embarrassments or delicate complications, lay before all what could not be produced just at the time of the hearing of the case—the proof, namely, the irrefutable proof, the proof written large, of the treason. This proof it was that led the officers composing the court-martial to bring in an unanimous verdict against the prisoner. . . .

"It was a letter in the cipher of the German Embassy. We had this cipher, and it was rightly considered to be too useful a secret for us to divulge. That was why the letter in question was not included in the overt evidence against the accused."

In passing I may observe, that this talk about cipher must be mere *blague*, introduced by way of justifying in the eyes of the French public so flagrant an illegality. I resume the text:—

"Towards September 20 (1894), Colonel Sandherr, head of the statistical section, communicated to General Mercier this letter, which had been deciphered. It read thus, 'Decidedly this animal Dreyfus is getting to be too exigent' (*Décidément cet animal de Dreyfus devient trop exigeant*)."

The *Eclair* printed the name Dreyfus in capitals, and ended its article with a paragraph entitled, "The proof under the eyes of the judges.' After admitting that Dreyfus to the end always persisted in protesting his innocence, it added:—

"It is true that Dreyfus did not know, and is perhaps still unaware, that the Ministry of War had in its possession a photograph of the letter exchanged between the German and Italian military attachés, the only document in which his name figured. The letter (*i.e.*, the bordereau) which he had written, but taken good care not to sign, could only be a moral element in the case. Indeed, if two of the handwriting experts, Charavay and Bertillon, affirmed that 'it was certainly Dreyfus,' the three others hesitated.

"One proof alone allowed of no hesitation, and it consisted in the production of the very piece in which Dreyfus was *named*. It was enough to convince the tribunal, *and it was important that the traitor should not escape his due punishment.* But this important document was confidential in an extraordinary degree, and the Minister could not give it up without a formal requisition of the court.

"It was therefore needful for a formal search to be made at the Ministry. It was made; but in order to save the commissary of the Government the trouble of turning over so many secret *dossiers, it was arranged that it should be the first for him to lay his hand upon.*

"It was, however, stipulated that in any case *it should not be openly discussed* before the court-martial, although it had been regularly seized. It was, therefore, communicated to the judges alone in their private council-room.

"Irrefutable evidence, it thoroughly convinced the members of the court-martial, and they were unanimous when they had to pronounce their verdict in

regard to the traitor's guilt and the penalty to be inflicted on him."

What truth is there in the above?

I have already pointed out how well informed in many ways this correspondent was. He knew all the details of Du Paty's inquisition, as the official act of accusation, only published two years later, revealed them. He had also seen the bordereau, which had not yet been published in facsimile in the *Matin*, and in the same article accurately detailed its contents. Obviously he was either one of the judges or one of the officers immediately connected with the prosecution.

Was there then a secret dossier of Dreyfus, and was it used at his court-martial in the way this obviously inspired source declares?

That there was is clear from an official document put forth by the War Office itself on January 10, 1898. This is the *rapport* of the Commandant Ravary, who was then charged with the task of drawing up the case—we cannot say against—but for Esterhazy, when at last it became requisite to go through the form of acquitting him of having written the bordereau. In this we have the following passage, which clearly slipped out unawares:—

"One evening when Lieutenant-Colonel Henry, having returned to Paris, had entered rather suddenly M. Picquart's room, he saw Maître Leblois, the advocate . . . sitting by his desk and turning over along with him the secret dossier. A photograph

bearing the words 'cette canaille de D . . . .' had got out of the dossier and was lying spread out upon the desk."

Here, then, we have the formal admission that, as early as the October of 1896, when this alleged scene must—if at all—have taken place, the French War Office had a secret dossier. Thus the writer in the *Eclair* is confirmed, and the very document which he declares to have been privily laid before the judges in 1894 is in 1898 admitted to have been part of the secret dossier in the summer of 1896.

Another proof that Dreyfus' conviction was arrived at in this illegal manner is that M. Méline's Government could not and did not deny it when, on January 24, 1898, M. Jaurès addressed to the president of the Cabinet (M. Méline) the following question, after quoting the above paragraph of Ravary's *rapport*:—

"Yes or no. Did the judges who had to pronounce judgment on Dreyfus have laid before them documents of a sort to establish or confirm his guilt, without those documents having been communicated to the accused and his counsel, or did they not?"

M. Paschal Grousset interjected the remark, "That is the whole question," and M. Jaurès went on thus:—

"Gentlemen, my question is a clear and straightforward one; it admits only of being answered with a yes or no. This answer you will be so kind as to make. Yes or no. I am waiting for it."

I would have my readers note the answer. M. Jules Méline said, "I answer you that we will not discuss the matter in the tribune. That is certain, and I will not walk into your trap."

Then a few minutes later, feeling that he had left the ground too exposed by his evasive answer, M. Méline said:—

"One word only, gentlemen, to say that I have already answered those points in M. Jaurès' speech which it was permissible to the Government to answer. I refuse to engage with him on the topic which he just now broached; because the Government—I repeat it once more—has not the right to discuss from the tribune a verdict regularly passed."

Yet it would have been enough to have answered, "No; secret evidence was not used." Méline's answer was too plainly that of a Government anxious to hush up an infamy.

On February 9, 1898, in the Zola trial, Mercier himself was in the box. Asked point-blank by Maître Labori if a secret document had not been communicated to Dreyfus' judges, he could only answer evasively thus: "I think that the Dreyfus affair is not in question, and that a decree of the court has forbidden us to trench upon it." Maître Labori again asked:—

"Does General Mercier affirm that it is not true that a secret document was communicated? or does he affirm that he has not himself repeated the fact to certain persons? I beg him to answer unequivocally."

And the first part of Mercier's answer caused a general sensation in the court. The whole was as follows:—

"It is not my business to answer the first question; but as regards the second, I say that it is not true."

It could hardly have been anxiety on his part to observe the absurd ruling of the court, by which no reference to the *chose jugée* was allowed, that inspired so evasive an answer as the above; for in reply to the judge's further question, whether he had anything to add, he felt himself obliged, in order to counteract the effect on his audience of his first answer, to blurt out the stereotyped falsehood of Billot, "that Dreyfus was a traitor who had been justly and legally condemned."

Lastly, it is worth noticing that M. Salles, a Paris advocate, had it from the lips of one of the judges in Dreyfus' court-martial that they had had a secret document laid before them. M. Salles was precluded in the Zola trial from giving his evidence by the ruling of the judge.

But the judge in that trial could not prevent Maître Demange from giving his evidence, which he did on February 10, 1898, in these words:—

"I had learned through M. Salles that there had been a violation of the law . . .

"M. Labori asked: What violation?

"The Judge: No, no, Maître Demange, do not answer.

"M. Clémenceau: . . . Was it not because a judge of the court-martial affirmed it to M. Salles, who repeated it to Maître Demange?

"M. Demange: Why, yes; of course.

"The Judge: Maître Demange, you have no right to speak."

The point became quite clear on July 7, 1898, when Cavaignac made his celebrated declaration in the French Chamber. Not only did he throw over the bordereau, but with it the contention of his predecessor, Billot, that Dreyfus had been justly and *legally* condemned. The formula was now changed to this, that "the honest people who composed the court-martial had judged in accordance with their conscience and with absence of passion."

Lastly, on September 15, 1898, Picquart himself assured the *garde des sceaux*, in a letter which I shall translate in its place, that four secret documents were communicated to the judges.

My reader will have noticed the infamous trick of the writer in the *Eclair* of September 14, 1896. He printed, "Cet animal de DREYFUS," where the document itself, as Ravary's *rapport* proves, has only the initial letter *D* . . . This fact suggests, nay, almost makes it certain, that the letter was read out loud to the judges and not shown to them, and that the person who so read it filled in the name in order to leave the judges no alternative but to condemn an innocent man. Had the judges seen the document itself they would have noticed: (1) that the

name of Dreyfus was not there; (2) that the letter was not in cipher, as pretended; (3) that there were things said in it of the wife of *D* . . . which could not possibly apply to Madame Dreyfus. I think it well to add what I have been assured of, on the highest possible authority, that the letter containing this phrase as a postscript was not the only document secretly adduced to the judges. They were also acquainted with the two letters read out by Cavaignac to the French Chamber on July 7, 1898. These two are to my knowledge in the handwriting of Colonel Panizzardi; and the one with the postscript was probably written by Schwartzkoppen.

Thus Dreyfus was condemned. He appealed to the higher military council, before which the sentence of a court-martial goes for revision in the first instance. This court, composed of the highest officers in the land, mechanically allowed the verdict to hold good, without examining it; and Dreyfus was informed, on December 30, that his formal degradation and expulsion from the French army would take place on January 5, 1895. In view of this dreadful ceremony he wrote the following letter to his wife on January the 3rd:—

"*Tuesday, mid-day.*

"My Darling,—They inform me that the supreme humiliation is to take place the day after to-morrow. I was waiting for it, I was prepared for it; but nevertheless the blow has fallen heavily on me. I

shall bear up under it, for I have promised you that I will. I shall draw the strength which is still necessary for me from your love, from the affection of all of you, from the thought of my darling children, from the last hope that the truth will be found out. I must needs feel your affection irradiating me all round, feel you too at my side sharing the struggle with me. So, then, continue your investigations without truce and without respite.

I hope to see you very soon and to draw fresh strength from your eyes. Let us be one another's support towards all and against all. I require your love in order to live, and without it my mainspring would be broken.

"When I am gone, try to persuade every one that they must not flag or halt in the quest.

"Please take the necessary steps in order to come to see me upon Saturday and on the following days at the prison *De la Santé*. It is there more than anywhere else that I shall need support.

"Find out also about the matters of which I spoke to you yesterday; about the time of my going, of the way I shall go, &c.

"One must be prepared for everything, and not let oneself be taken by surprise. ALFRED."

On the same day he wrote the following also to his counsel, Maître Demange:—

"*Thursday, mid-day, January 3rd*, 1895.

"DEAR MASTER,—I have just been informed that I shall to-morrow undergo the last affront which can be inflicted on a soldier. I awaited it, I had prepared

myself for it; but nevertheless the blow has been terrible to bear. In spite of everything, up to the very last moment, I hoped that some providential chance would bring about the discovery of the true culprit.

"I shall march to meet this awful punishment, which is worse than death, my head upright, without a blush.

"To tell you that my heart will not be dreadfully tortured when they tear from me the decorations which I have won by the sweat of my brow, that would not be true.

"I would certainly a thousand times have preferred death.

"But you have indicated to me my duty, dear master, and I cannot avoid it, whatever the torture which awaits me. You have taught me to hope; you have penetrated my whole being with a feeling that an innocent man cannot remain for ever wrongly condemned; you have given me faith.

"Thanks once more, dear master, for all that you have done for an innocent man.

"To-morrow they will take me to the other prison, *à la Santé*.

"It would make me very happy if you could console me afresh with your burning words, with your eloquence, and revive my drooping heart. I count always upon you, upon all my family, to decipher this dreadful mystery.

"Wherever I go, the thought of you will follow me. It will be the star to which I shall look for my happiness. Believe me, dear master, and accept my respectful sympathy, A. DREYFUS.

"At this very moment I learn that my degradation will not take place till Saturday; but all the same I send you this letter."

The ceremony of the degradation itself on January 5, 1895, is terrible reading; not because of the behaviour of the victim, who was almost the only man present who retained his dignity, but because of the conduct of the mob of Parisians who looked on, and of the insensate criticisms of the victim's noble bearing with which the Paris reporters interspersed their accounts. I select for my readers that which appeared in *L'Autorité*, a journal hostile to Dreyfus:—

"At the first stroke of nine from the clock of the Military School, General Darras lifts his sword and gives the command, which is repeated along the front of each company—'Shoulder arms!'

"The troops execute the order, and an absolute silence follows.

"Hearts cease to beat, and all eyes are turned towards the right-hand corner of the square, where Dreyfus is shut up in a little building on the terrace.

"In a moment a small group is seen: it is Alfred Dreyfus in the midst of four artillerymen, accompanied by a lieutenant of the Republican Guard and by the senior petty officer of the escort. He approaches, and between the dark pelisses of the artillerymen one discerns quite clearly the three galloons, trefoil shaped, and the gold brocade of the officer's cap. His sword glints, and from afar one can distinguish the black knot fastened to its handle

"Dreyfus walks with a quiet, firm step.

"'Just look how erect he walks, the scoundrel,' is the remark one hears.

"The group advances towards General Darras, in front of whom stands the clerk of the court-martial, M. Vallecalle.

"Amidst the crowd outside shouts are audible as the group halts.

"The officer in command makes a sign, and the drums beat and bugles sound; then there is a fresh spell of silence, this time tragic in its import.

"The gunners who accompany Dreyfus fall back a few steps, and the condemned man is seen alone and apart.

"The clerk gives the general the military salute, and then, turning towards Dreyfus, reads out in a loud clear voice the judgment which sentences him to deportation to a fortified station and to military degradation.

"When he has read it, the clerk turns round again to the general and gives the military salute.

"Dreyfus has listened in silence. The voice of General Darras is next heard. It is raised and slightly touched with emotion, and one hears clearly the words:

"'Dreyfus, you are unworthy to bear arms. In the name of the French people, we degrade you.'

"Then Dreyfus is seen to raise both arms; and, head erect, he cries out in a strong voice, in which one cannot detect the least tremor:

"'I am innocent. I swear that I am innocent. *Vivé la France.*'

"The vast crowd outside answers with a loud shout of '*A mort.*'

"But the noise drops in a moment, for they see that the adjutant charged with the melancholy duty of depriving the degraded man of his galloons and arms, has laid his hand on him, and already the first galloons and cuffs, which have been unsewn beforehand, have been torn off by him and thrown to the ground.

"Dreyfus seizes the opportunity to protest anew against his condemnation, and his cries reach the crowd and are distinctly audible:

"'On the heads of my wife and children, I swear that I am innocent. I swear it. *Vivé la France.*'

"However, the adjutant has rapidly torn off the galloons of the cap, the trefoils of the sleeves, the buttons of the pelisse, the numbers on the neck, and the red stripes which the condemned man has worn on his trousers ever since he entered the Ecole Polytechniqne.

"The sword is left. The adjutant draws it out and breaks it across his knee. The dry snap is heard, and the two broken fragments are cast on the ground like the rest. Then the sword-belt is unfastened, and the scabbard in its turn falls to the ground.

"It is all over, but the few seconds have seemed a century. We had never before felt pangs of anguish so keen.

"And afresh, clear, and without any touch of emotion, is heard the voice of the condemned man in a raised tone, crying:

"'You degrade an innocent man!'

"Next, the condemned man has to pass along before his comrades in arms, and the men formerly

under his command. For any other man the suffering would be horrible; but Dreyfus does not seem particularly distressed, for he steps firmly over the insignia of his former rank, which two gendarmes will presently gather up, and he takes his place of himself between the gunners with naked swords who led him before General Darras.

"The little group, led by two officers of the Republican Guard, turns its steps towards the band, which is stationed in front of the prison van, and so begins to defile along the front of the troops, within about a yard of them.

"Dreyfus, as he marches along, keeps his head erect. The public cries '*A mort.*' Presently he comes up close before the iron railing, where the crowd sees him better. Their cries redouble, and from thousands of throats rings the demand for the death of the wretch who still cries aloud, 'I am innocent. *Vivé la France.*'

"The crowd has not heard him, but it has seen him turn towards it and utter his cry. A broadside of hisses is their answer, and then a shout which passes like the breath of a tempest across the vast court, '*A mort! A mort!*'

"And outside there is a terrible rush amidst the sombre masses, like the current of a whirlpool, and the police have extraordinary trouble to prevent the people from throwing themselves on the Military School and taking the place by assault, in order to take a vengeance at once quicker and more rational on such infamy as that of Dreyfus.

"But he continues his march, and on reaching the spot in front of the group of reporters, he says:

"'You will tell the whole of France that I am innocent.'

"'Hold your tongue, wretch,' is the answer of some of them, while others cry: 'Dastard! Traitor! Judas!'

"At the insult, the abject wretch draws himself up, and, casting on us a glance of fierce hatred, exclaims, 'You have not the right to insult me.' From the pressmen's group a clear voice is heard contradicting him: 'You know very well that you are not innocent.' 'Vivé la France!' 'Filthy Jew!' and other cries are hurled at him as he continues his march.

'His dress is pitiable to look at. Instead of galloons, there hang down long ends of threads, and his *képi* has lost all shape.

"Dreyfus draws himself up once more, but he has only passed in front of half of the troops massed there; and it is evident that the continuous cries of the crowd and the various incidents of this parade begin to tell on him. True, the wretch keeps his head turned insolently towards the troops, as if in defiance of them, but his legs begin to totter and his steps grow heavier. The group advances but slowly, and now it passes in front of the 'Blues.'

"The march round the court is finished. Dreyfus is again handed over to the two gendarmes, who have come to pick up his galloons and the remains of his sword. They hurry him into the prison van. The coachman whips up his horses and the carriage dashes off, surrounded by a detachment of Republican Guards, at the head of whom ride two of their number clasping their revolvers.

"The parade has lasted just ten minutes."

I have been told by an Englishman who was present that Captain Dreyfus was the single actor in this terrible drama who behaved himself with dignity, and he quitted the scene with a profound conviction of his innocence, and filled with forebodings for the future of France.

The following letter was written by Captain Dreyfus to Maître Demange soon after the ceremony of degradation was over:—

"Prison de la Santé (*Saturday*).

"Dear Master,—I have kept the promise that I made you.

"Innocent, I have faced the most awful martyrdom which can be inflicted on a soldier. I have felt all round me the scorn of a crowd; I have suffered the most terrible torture that can be imagined. How much happier I should have been in the tomb. All would be ended. I should be at rest, all my sufferings forgotten.

"But alas! duty does not permit it, as you have so well explained to me.

"I am obliged to live, obliged to allow myself to be martyred for long weeks to come, before the truth can be discovered and my name rehabilitated.

"Alas! when all that is over, when shall I regain my old happiness?

"Well, I count upon you, dear master. I still tremble at the thought of all that I have endured to-day, of all the sufferings which still await me.

"Support me, dear master, with your burning and eloquent words. See that this martyrdom has an

end, that they despatch me as soon as possible yonder, where I shall, along with my wife, wait patiently for them to throw light on this mournful business and give me back my honour.

"For the present this is the only grace I ask for. If they have any doubts, if they believe in my innocence, I ask but a single favour for the present, and that is, air, the society of my wife, and then I shall wait for all who love me to have unriddled this mournful affair. But let them do it as soon as possible, for I have nearly reached the limit of my powers of resistance. It is really too tragic, too cruel, to be innocent and to be condemned for so awful a crime.

"Excuse the loose way in which I write. I am not yet master of my thoughts. I am so profoundly dejected in mind and body. My heart has bled too much this day.

"For God's sake, then, dear master, let them shorten my undeserved punishment.

"Meanwhile, you will investigate, and I trust, I am firmly convinced, you will find it all out.

"Believe me, ever your devoted and unhappy

"A. DREYFUS."

CHAPTER VI

PICQUART'S DISCOVERY

THE Jesuits had secured their victim, their indispensable traitor. Through their organ, the *Libre Parole*, they had hitherto declared, with every accessory of literary violence and rancour, that because all Jews were traitors therefore Dreyfus was one. Henceforward they could indulge in the complementary argument that, Dreyfus being a traitor, all Jews were traitors as well.

The letter which Dreyfus wrote to his wife immediately after his degradation is not less characteristic than the rest, and because it so admirably expresses all that he had now to hope for or fear from the future, I translate the first few lines of it:—

"PRISON OF LA SANTÉ, *Saturday, January 5th*, 1895.

"MY DARLING,—Tell you all that I have suffered this day, I will not. Your sorrow is already so great that I will not make it greater.

"In promising you to live, promising you to keep firm until my name is rehabilitated, I have made you the greatest sacrifice that a man of feeling, a man of honour, from whom they have just torn his honour can make. Provided only, God help me

that my physical strength does not leave me. The will is there, and my conscience, which reproaches me with nothing, bears me up; but I begin to reach the end of my endurance and of my strength. To think that I have consecrated all my life to honour, to have never done anything to forfeit it, and to find myself where I am, after undergoing the most outrageous affront that can be inflicted on a soldier! . . .

"So then, my darling, do all in the world you can to find the true culprit, never relax your efforts for a moment. It is my only hope in the awful misfortune that pursues me." . . .

In contravention of all principles of justice, the French Government under M. Dupuy, then prime minister, proposed, and the Chamber adopted, the law of February 9th, 1895, in virtue of which Dreyfus was deported to the Devil's Island, just off the fever-stricken and swampy coast of French Guiana. In the natural course of things he would have gone to New Caledonia in the Pacific. But that was reckoned too healthy for a Jewish traitor; so the new law, sanctioning the use for convicts of the old lazaretto off Guiana, was made retrospective, in order that Dreyfus might go there.

This was a blunder on the part of his enemies. To be chained to a barren sun-beaten rock, with the vast ocean spread out before, and behind the great unexplored mysterious continent of South America, invests a victim with a certain distinction. His isolation in such surroundings confers a dignity on

him. It is doubtful whether Napoleon would after Waterloo have remained such a great, such a mysterious figure, had his enemies given him a lodging in the midst of other criminals in Botany Bay, instead of isolating him on an island in the midst of the sea. It has somehow been the easier to fix and concentrate the interest of Frenchmen on Dreyfus, just because he was thus pilloried on a solitary islet.

In his family and among his friends, in particular by his counsel, he could not be forgotten. "No one becomes base in a moment," says the old Latin proverb; and there were many who, from the first, although they did not know him, had doubts of his guilt. He had not, like Esterhazy, powerful motives to drive him to crime. His was no scabrous and disorderly private life, no cheated ambition, no debts, no burning desire to avenge himself on France for imaginary or real wrongs. He had an ample fortune of his own, a wife and little children whom he idolised, a splendid career opening before him. What could have led him to risk the loss of all these blessings? Base gain could surely not have led him on; indeed, even the *Libre Parole* acquitted him of having taken money for his treason. Was it then love of Germany? But for thirty years his family had been notorious for the warmth of its Alsatian patriotism, of its loyalty to France.

In September 1896, before the *Eclair* revealed the illegalities of the trial, these doubts found

utterance in the *Jour*. In that journal M. Adolphe Possien, on September 11, 1896, wrote an article entitled, "Is the ex-Captain Dreyfus guilty?—Our inquiry," in which, after emphasising the division of opinion among the experts in regard to the bordereau, he ended thus: "I do not pretend to prove his innocence, but my aim is to show that his guilt has not been proved."

On the 14th of September M. de Cassagnac, a leading exponent of Monarchist opinion, wrote the following:—

"Like most of our fellow-citizens we think Dreyfus is guilty; but like our colleague (of the *Jour*) we are not sure of it. We too, as well as he, have the courage to say so, and we cannot, as all are aware, be accused of being favourable to the Jews." . . .

The writer then deplores the secrecy with which the trial had been conducted, and which prevented its being controlled or revised.

"But," he continues, "you will tell me that those who declared Captain Dreyfus guilty were French officers, the incarnation of honour and patriotism?

"That is true.

"Only, and in spite of my esteem and respect for French officers, I must make the observation that they are no more honourable than their brothers, cousins, and friends, who, under the name of jurors, dispense justice in the assize courts in the name of the French people. . . .

"My illustrious friend, the advocate Demange,

was quite right when he insisted on publicity of the discussion. Jurors often make mistakes; and it has not yet been demonstrated to anybody that the officers of a court-martial are infallible.

"It was said at the time, and it was denied by no one, that Dreyfus was condemned on the strength of a document written by him, and that his authorship of it was affirmed by two experts, MM. Charavay and Bertillon; while three others, of whom M. Gobert, expert to the *Banque de France*, was one, prudently abstained from such an inference.

"Besides which, one knows the value and weight of the science of experts in handwriting. Nothing is vainer, more uncertain, and at times more grotesque."

It is infinitely regrettable that the French press have not treated the question of Dreyfus' guilt with the calmness and judicial fairness here evinced by M. de Cassagnac. Alas! he has not himself consistently observed this attitude. His associations have overpowered him, and have led him the other way.

But already, when these articles appeared, there was a small circle of people inside the War Office who knew the truth, because Colonel Picquart had discovered it for them.

This officer, whose name will be written in letters of gold by those who, in after ages, write for Frenchmen their history during the last decade of this century, is an Alsatian, and was born at Strasbourg in 1855, fifteen years before the dismemberment of France. At thirty-three years of age he was already a major. He left the *École de Guerre* a breveted

officer, and is a Knight of the Legion of Honour. He was first a Professor of the *École de Guerre*, then head of the third bureau of the *état major;* and in the middle of 1895 he replaced Colonel Sandherr as head of the information department. As such he was a sort of prefect of military police, with the special duty of tracing spies and traitors, and of bringing them to justice. In 1896 he was made a lieutenant-colonel, and after he left Paris he was put at the head of the *tirailleurs algériens.* But I anticipate.

At the Zola trial, on February 11, 1898, Colonel Picquart related under oath how he made his discovery of the true authorship of the bordereau, and I will let him tell it in his own words:—

"At the beginning of the month of May 1896, the fragments of a telegram-card fell into my hands. These fragments were gummed together and sent back to me by an officer in my service, Commandant Lanth, then a captain. When he had finished, he brought me back the telegram-card,[1] which was addressed to Commandant Esterhazy, I no longer remember the exact terms of this card, but everything in it seemed to indicate that between the person who had written it and the Commandant Esterhazy there existed relations rather suspicious than not. Before submitting to my superiors this card, which constituted, not indeed a proof, but a

[1] A telegram-card is like an English letter-card, and they only circulate in Paris; being blown through tubes, they are delivered more quickly than ordinary letters.

presumption against Commandant Esterhazy, in view of the quarter from which it came, I was obliged to get some information about Commandant Esterhazy, and I addressed myself to an officer who knew him and had been in the same regiment with him."

Before going further with Picquart's deposition, let us supplement it with the text of the telegram-card, or *petit bleu*, as this sort of letter is called in Paris. It was divulged by the War Office authorities at the mock court-martial of Esterhazy in January 1898. It is directed to "M. le Commandant Esterhazy, 27 Rue de la Bienfaisance, Paris." Inside it is the following:—

"I await before everything a more detailed explanation than what you gave me the other day in regard to the question at issue. In consequence, I beg you to give it me in writing, so that I may judge if I can continue my relations with the firm R . . . or not."

Colonel Picquart continued his deposition as follows:—

"I do not lay stress on the nature of the information furnished me. It was not favourable to Commandant Esterhazy, and it led me to continue my researches, and to make some investigations of that officer's way of life and general behaviour. These investigations were also unfavourable. Esterhazy was a man always short of money, and had led a chequered existence. Then there was, above all, this odd fact about him, that, being an officer who

certainly did not altogether mind his own business —far from it—he yet manifested a very great curiosity in any documents which had to do with extremely confidential matters and possessed special interest from a military point of view. When I had carried my inquiry so far, I felt myself authorised to inform my superiors that there was an officer in the French army who might be gravely suspected. My superiors bade me continue my researches.

"There is a thing we generally do when we are concerned with any one whose conduct strikes us as suspicious: we take a specimen of his writing, and compare it with certain documents in our possession. Such a comparison may end in confirming or weakening the suspicions which weigh upon him. Accordingly I interested myself to obtain the handwriting of Commandant Esterhazy; and, contrarily to what has often been said, notably in the letter written to me by Esterhazy, I proceeded to obtain it in a perfectly regular manner. With the assent of my superiors, I went straight to the colonel of the regiment to which Esterhazy belonged. I asked him to give me specimens of his writing, which he did in the form of letters concerning the service. The moment I got the letters I was remarkably struck by one thing about them, and that was the resemblance of their writing to that of the famous bordereau, of which people have talked so much. But I had no right, since I was not an expert in handwriting, to trust to my unaided impressions.

"This is why I had photographs prepared of these service letters, in which . . . I had such words as 'my colonel' effaced, as well as the signature, along

with any other indications which might reveal their authorship. I showed the photographs thus obtained to two persons perfectly qualified to give an opinion about the matter. One of them was M. Bertillon, the other Commandant Du Paty de Clam. M. Bertillon, as soon as ever I laid the photograph before him, said, 'Why, it is the same writing as the bordereau.' I replied, 'Do not be in a hurry; will you not take this specimen and examine it at leisure?' He replied, 'No, there is no use in my doing so; it is the writing of the bordereau. Where did you get it?' 'I cannot tell you,' I answered. 'Then it belongs to an earlier date.' . . . 'No,' I said; 'it is later.' Then M. Bertillon used these very words: 'For a year past the Jews have been keeping some one hard at work to produce the writing of the bordereau, and they have perfectly succeeded; that is evident.' I left the photograph of Commandant Esterhazy's letter, along with a photograph of the bordereau, for two days in M. Bertillon's hands. At the end of those two days he came and said identically the same thing as he had said two days previously.

"The second person to whom I showed a specimen of Commandant Esterhazy's writing was Colonel Du Paty, then commandant. I only left him a few minutes—five, I think—and he said to me, 'It is the writing of Mathieu Dreyfus.' I must tell you, by way of explaining his remark, that Colonel Du Paty pretended that, in writing the bordereau, Alfred Dreyfus had blended his own handwriting with his brother's. Anyhow the hint he gave me was valuable.

"There was another thing about Esterhazy to attract my attention . . . A detective had said that an officer of higher grade . . . aged about fifty, was supplying such and such documents to a foreign Power. Now, the documents he mentioned were exactly those which had been mentioned to me by the comrade to whom I first went on discovering the telegram-card.

"I have just set before you the question of handwritings; I now come to a period when I was instructed by General Gonse to find out, as one can see by his letters, whether the documents mentioned in the bordereau could have been copied for Esterhazy's purposes.

"I knew that Esterhazy had a good many documents, which he procured, copied at his house; and I was told to address myself to the secretaries he had had, and to try and find out if he had really copied those documents.

"The matter was a serious one. I admit that at that moment I almost regarded my task as accomplished. I said to myself: Here is a telegram-card which has put me on the track of Esterhazy; it is not a document sufficient to condemn him upon, but it is a clue. Then again we have the testimony of a detective—that is not yet enough—still there is the astonishing coincidence. The detective says: 'Here is a man who betrays such and such secrets,' and quite independently one of Esterhazy's regimental comrades said to me, 'This officer asks for this and that.' Lastly, there was another thing on top of all that, a thing which I cannot be more precise about, since I am not authorised to divulge the

secret. However, in the report of M. Ravary[1] there is a characteristic phrase. The Commandant Ravary says, speaking of me: 'That officer's conviction seemed to be fully established when he had assured himself that a document in the secret dossier applied to Esterhazy rather than to Dreyfus.' Well, that is true. For having taken the secret dossier, as Commandant Henry has said, I did see that a document it contained applied not to Dreyfus, as they had thought, but wholly to Esterhazy."

It is to be noticed in the above that Colonel Picquart revealed his discovery on the one hand to Du Paty, Dreyfus' arch-inquisitor and the most important witness against him in the court-martial of 1894; on the other hand, to his own hierarchical superiors, the Generals Gonse and Le Mouton de Boisdeffre, the former under-chief, the latter chief of the *état major*. The first-named officer, Gonse, paid great attention to Picquart's investigation, and for a time favoured it, as is clear both from the above deposition and from letters written at the time to Picquart. The turn taken by events was indeed of a kind to perturb all who had been officially connected with Dreyfus' trial and degradation; for here was a telegram-card addressed to Esterhazy brought in by the same agent that had brought the bordereau, and from the same place, viz., the German Embassy;[2] and Esterhazy's handwriting

[1] Namely, at Esterhazy's court-martial in January 1898.

[2] Colonel Picquart deposed on oath to these facts in his subsequent cross-examination. See Procès Verbal, I. p. 311.

was identified with that of the bordereau. It is very important to certify what was the attitude under these circumstances of Picquart's superiors, and this we learn from Gonse's letters. Thus, in answer to a letter of Picquart's, dated September 5, he writes:—

"My Dear Picquart,—I have received your letter of the 5th, and, after reflection on all you have said, I hasten to assure you that it seems to me best to proceed very prudently in this matter, distrusting one's first impressions. It will be necessary now to be quite sure as to the nature of the documents. How could they have been copied? What were the requests for information made to other persons?

"It may be answered that, if one pursues that method, it will be difficult to get any result without raising an alarm. I admit that it is so; yet, in my opinion, it is the best way and the safest.

"*The continuing of the inquiry from the point of view of the handwriting* has the disadvantage that it obliges us to take fresh people into our confidence. . . . In short, my feeling is that *it is necessary to proceed with extreme prudence.*

"I shake your hand, my dear Picquart, very affectionately, your devoted A. Gonse."

The above letter proves that it was with the full assent of his superiors that Picquart had until then pursued his investigations. He answered Gonse thus on September 8, 1896:—

"My General,—I have read your letter carefully, and I will scrupulously follow your instructions. But I think I ought to say this much.

"Numerous signs and a *fait grave*, of which I shall tell you on my return, show me that the moment is near at hand when people who are convinced that a mistake has been committed in regard to them will make a desperate attempt to have it rectified, and will also produce a great scandal.

"I think I have taken all the steps necessary for the initiative to come from ourselves.

"If we lose too much time, the initiative will be taken by outsiders, and that, apart from loftier considerations, will put us in an odious light.

"I may add that these people do not appear to me so well informed as we are, and that their attempt seems to me bound to result in a mess, a scandal, a great deal of noise, without however throwing light on the matter.

"It will be a troublesome crisis, useless, and one which we can avoid by doing justice in time.
—Yours . . . G. PICQUART."

The above letter is full of foresight. At that time Picquart was anxious to have Esterhazy arrested, but Gonse had probably other interests at heart than the doing of justice. Apart from the enormous publicity given to the formal degradation of Dreyfus, in itself a great impediment to any revision of the sentence, he must have been aware that the verdict had been obtained by illegal means. This is why already at that time Gonse was trying to limit the scope of Picquart's investigation to other charges against Esterhazy than the actual writing of the bordereau. He actually instructed

Picquart *not* to investigate whether Esterhazy had stolen, or borrowed, or had copied any of the documents enumerated in the bordereau, but to confine himself to the detection of other documents not in the bordereau, yet betrayed to the Germans. He was to implicate Esterhazy as a traitor, but not to acquit Dreyfus, whose guilt was to be upheld as if it were a religious dogma. The sanctity of the *chose jugée* begins to make itself felt as the controlling factor in the case.

Gonse, in fact, was sensible that the ground was crumbling under his feet. He did not want the full truth to come out, and yet he was keenly alive to the justice of the remarks addressed to him by Picquart. Therefore he wrote him a second letter in these terms:—

"18*th Sept.* 1896.

"My Dear Picquart,—I have received your letter of the 8th. After reflection, and in spite of what it contains of 'disquieting' news, I adhere to my first feelings.

"I think it is necessary to act with extreme circumspection. At the point you have reached in your inquiry, *it is not a question of course of avoiding the light, but we must know how best to go to work in order to bring about the manifestation of the truth.*

"This premised, we must avoid all false manœuvres, and above all be on our guard against irreparable false steps. What is necessary is, it seems to me, to reach in silence, and by following out the

line I have indicated to you, a certitude as complete as possible before compromising anything. . . .

"I have occasion to write to General de Boisdeffre, and I add in my letter to him a few words to the same effect as these to you.

"Prudence, prudence! You see the word which you must always have before your eyes. . . .

"Shaking your hand, my dear Picquart, very affectionately, your devoted H. GONSE."

This is a half-hearted letter, the utterance of a man who shirks the responsibility of ripping up a case in which the reputation of his order and of his bureau is so deeply involved. But Picquart's motto was "Be just and fear not," so he answered Gonse as follows:—

"PARIS, 14*th September* 1896.

"MY GENERAL.—I had the honour to draw your attention to the scandal which certain people threatened before long to provoke; and I allowed myself to say, that in my opinion, if we did not take the initiative, we should be burdening ourselves with huge perplexities.

"The article from the *Éclair*, which I enclose, is a confirmation, and a distressing one, of my opinion. I shall try with all care to find out who could have launched this bombshell.

"*But I think it my duty to assure you once more that it is necessary to act at once.* If we wait any longer we shall be taken by surprise, shut up in a position from which it will be impossible to extricate ourselves, and in which we shall no longer find the means of establishing the real truth. G. PICQUART."

This is a manly letter, and if there had been any men of principle around Picquart in the War Office, he would have been supported in his demands for justice. France would have been spared a dangerous crisis, the credit of her *état major* would not have suffered, the innocent man would have been released, and several persons would have escaped assassination. Above all, the French would not have lost caste in the eyes of every civilised nation in the world, by the addition to her history of a page infamous almost beyond any which record the misdeeds of the *ancien régime*.

The *fait grave* referred to in Picquart's first letter could not be the article in the *Jour* to which I have referred, still less the article in the journal *L'Autorité*, for the letter is prior to them. Picquart must have had some premonition of the article which was to appear in the *Éclair* on September 14, 1896, to which in his second letter to Gonse he explicitly refers. What was the genesis of this letter?

There were at least two men in the War Office who had an interest in keeping things quiet, and were dismayed at Picquart's discovery. These were Du Paty de Clam and Henry. We have seen that Picquart virtually communicated his discovery to the former, and the latter, being Picquart's own subordinate in the *Bureau des Informations*, must necessarily have known all about it. To these two officers Colonel Sandherr, not long before his death, committed the Dreyfus affair as a sort of legacy.

He had begged them to watch over it and see that this *chef d'œuvre* of the War Office was touched by no one.

Now it is clear that the person who communicated to the *Eclair* the secret document used at Dreyfus' court-martial, and who in communicating it falsified it by writing in "Dreyfus" in capital letters where only the initial D stood in the original, was anxious to discount in public opinion Picquart's discovery of the real authorship of the bordereau. That piece of evidence was felt by him to be crumbling; it had already been pooh-poohed in the *Jour* of September 11, 1896, and the secret of its entire worthlessness might at any moment be divulged, now that Picquart and Bertillon, Gonse and Boisdeffre, and probably others as well, were cognisant of it. Hence the necessity of acquainting the French public with the fact that the bordereau was far from being all, or even the most important, evidence adduced against Dreyfus. They must be made to understand that it was the secret dossier that had really convinced his judges, and not the bordereau at all. That might be discredited and thrown over, yet there was left plenty of evidence to justify Dreyfus' retention in the Isle du Diable, plenty to warrant a dogged opposition to any revision of his sentence.

Such is the aim which inspired this communication in the *Eclair*, and the writer of it was clearly a man who saw little harm in the production of

COLONEL G. PICQUART.

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evidence to the judges which was at the same time withheld from the accused and his counsel. It was withheld, he says; otherwise the defence would have learned that the French War Office was in possession of the German cipher. This is clearly a cock-and-bull story designed to palliate to the readers of the *Eclair* the flagrant illegality of the transaction. Who was the man behind the scenes, so anxious to prejudice the public mind, and to discount the revelation which it was expected within the War Office Picquart might at any moment make, and that with the assent of Gonse and Boisdeffre? It was clearly either Du Paty or Henry, or both acting with the connivance of Mercier, who had now, indeed, lost his position in the War Office, but whose sinister personality reveals itself in the background as the inspirer of the orgies of fraud and crime, of which as soon as Picquart's back is turned the War Office was to become the temple.

The same person or persons who, as Picquart says, launched this bombshell in the *Eclair*, soon perceived that, by this cynical divulgation of illegalities committed at the Dreyfus court-martial, they had done their own cause harm, and placed a weapon in the hands of those who asked for revision. Madame Dreyfus herself lost no time in petitioning the Chamber to send the case for revision before the Cour de Cassation, on the ground that her husband's condemnation had been procured by illegal means. Maître Demange, at the same time,

drew the attention of the President of the Chamber to the matter. It was also in consequence of the revelations in the *Eclair* that M. Bernard Lazare brought out his first brochure entitled: "The Truth about the Dreyfus Affair," in which he gave a more correct text of the bordereau than the *Eclair* had contained, and argued that the writer in the *Eclair* had intentionally falsified certain details of it. When on November 10th the facsimile of the bordereau appeared in the *Matin*, this was seen to have been the case. An antidote to the *Eclair* was now becoming necessary, and we shall presently see how it took the form of a return to the bordereau as evidence. Meanwhile it was felt to be important by those who were resolved to uphold Sandherr's *chef d'œuvre* to warn Esterhazy of what was brewing. At any moment Picquart's superiors might order him to search Esterhazy's lodgings; treasonable documents were sure to be found in them, and then the substitution of the guilty man for the innocent one would be inevitable. Picquart saw through this plot, and thus records it in his deposition.

"It was just after the publication of the article in the *Eclair* that Esterhazy, I am convinced, was warned. He knew for certain, thanks to this article, that the bordereau was known (to the French authorities). . . . Just then, as the inquiry was at a stand-still, one of my chiefs spoke to me of the advisability of making a search at his house. I confess that I did not consider the moment an

opportune one. It seemed to me that it ought to have been made at an earlier time. . . . However, desirous to do what I was asked, I spoke about it to the agent who watched Esterhazy and knew the ins and outs of his house. I said to him, 'You see what they ask me to do. I think the search will be a farce.'"

And so it was. Esterhazy had decamped with all his goods to Rouen, leaving nothing in his old habitation except a heap of burned papers on the hearth. The agent on arriving had found a placard up that the flat was to let; so, on pretence of looking at the rooms, he had gone in as any one else might have done.

CHAPTER VII

THE FORGERS OF THE WAR OFFICE

It is curious to observe how insignificant things appearing in the English press have more than once led to weighty developments of the Dreyfus case. On September 3, 1896, an English journal published a dispatch, probably an intentional forgery of French origin, declaring that Dreyfus had escaped from the Devil's Island. M. Castelin, one of those mischievous persons who in France claim for themselves a monopoly of patriotism, and who, along with a few others like himself, formed the dregs of the Boulangist faction, made this report the occasion of an interpellation to be addressed to the Government. The interpellation was fixed for November 18, 1896, and the prospect of it caused a flutter inside the War Office. What was to be done? Picquart had shown that the bordereau was in Esterhazy's handwriting; and not only his hierarchical superiors, like Gonse and Boisdeffre, but Henry, Du Paty, and a few others had become aware of it. Now that the matter was going to be ventilated in the tribune of the Chamber, the War Office would have to take a line, to make up its mind; and that, as we have seen from Gonse's letters, was the thing which, least

of all others, it just then desired to do. For a few weeks during the summer, when they had Picquart, manly and truthful, upholding before their eyes the ideal not only of courage and justice, but also of common prudence, Gonse and Boisdeffre had been half-inclined to clear the matter up. At any rate, they had not yet so firmly entrenched themselves behind their official conscience as to look that bright spirit in the face and say outright, "We will not have light; we will have darkness."

However, they were ready to be pushed into crime, and the legatees of Sandherr were there to show them the way. They felt that the next step to be taken was to rehabilitate, if they could, the credit of the bordereau, and to convince people afresh that Dreyfus, even though a Jew, had not only been justly, but also legally condemned. The secret document stood for justice, the bordereau for legality. Therefore, with a fitting flourish of trumpets, the bordereau must be produced. Accordingly it was communicated in facsimile to the *Matin* on November 10, 1896, eight days before the task would devolve on the new Minister of War, General Billot, of saying something reassuring about the Dreyfus trial. The writer in the *Matin* introduced the fac-simile with the following laboured references to the agitation for revision, already begun with the publication of M. Bernard Lazare's brochure:—

"By means of clever but dark manœuvres, and by giving the air of a mere appeal for light to deft

pleadings, by appealing to the sentiments of justice and generosity which haunt every heart in this country, certain individuals are harnessing themselves to that superhuman work: the revision of the trial of the traitor Dreyfus.

"Under the deceitful pretext that there had been revived against him certain inquisitorial practices, they would have him come back to France, there to appear once more before his judges.

"Fool's play, the whole of it! Dreyfus is indeed guilty of the greatest of all crimes. And in order to stop all pity for him, by leaving it no time to be born, no possibility thereof, it is our duty to produce the material and undeniable proof of his misdeed.

"On what is the accusation based? How is the punishment inflicted on the ex-Captain Dreyfus justified? This is what the *Matin* is in a position to state.

"In order to achieve this work, both patriotic and health-giving, we publish the facsimile of the famous bordereau, written with Dreyfus' own hand.

"To any one who has been able to compare the admitted writing of Dreyfus with that of the document which we here reproduce, it will be clear that it was his hand which traced these lines."

This melodramatic exordium smacks of Du Paty de Clam; and it is easy to read between its lines his real intention, which was to brace up Billot to make such an announcement in the Chamber as would effectually hinder in the future any attempt at revision. The Government must be committed

to the lie, and that without delay. I may notice in passing that no specimens of Dreyfus' writing were published alongside of the facsimile, still less any of Du Paty's numerous dictations of the bordereau. To supply his readers with any sort of touchstone of the truth was far from being the writer's aim. If he could achieve a momentary success and commit the French Government to Drumont's position, he was satisfied.

And he succeeded, for on November 18 General Billot mounted the tribune and spoke thus :—

"Gentlemen, the question submitted to the Chamber by the Honourable M. Castelin is a grave one. It concerns the justice of our country and the security of the State. This melancholy affair was two years ago the object of a judgment provoked by one of my predecessors at the Ministry of War. Justice was then done. The preliminary hearing (instruction) of the case, the arguments, the judgment, were all conducted conformably to the rules of military procedure."

When we consider that the use of secret evidence was already admitted, we shall not be surprised to learn that Billot continued as follows :—

"The court-martial, regularly composed, was regular in its deliberations, and having fully acquainted itself with the case, pronounced its verdict unanimously.

"The council of revision unanimously rejected the appeal of the condemned. Consequently it is

a *chose jugée*, and it is not permitted to any one to go back on the trial.

"Since his condemnation, all precautions have been taken to prevent any attempt to escape on the part of the condemned.

"But the reasons of State which necessitated, in 1894, the hearing of the case *in camera* have lost none of their weight."

This last declaration evoked applauding shouts of "*Très bien! très bien!*" from Billot's hearers, who, if they had been anything but French deputies, would surely have asked why, in the face of such declarations of the Minister of War, the War Office itself had passed over unnoticed and without censure the publications in the *Eclair* and the *Matin?*

Thus the French Government was committed to the crime. That 18th of November was the great parting of the ways. The men who were at the head of the French army, and those who composed the civil government, alike feared the light. Georges Picquart had revealed to them the truth; but they feared the clamour of Drumont, feared the unpopularity which they would incur by championing the cause of an innocent and outraged Jew; and they capitulated to Henry and Du Paty and Mercier. Meanwhile Picquart, whose presence in the War Office had long become an element of discomfort even to Gonse and Boisdeffre, had been sent about his business. The War Office was no longer a place for a man of principle and

honour. Accordingly, on November 16, on the eve of Castelin's interpellation, Picquart was informed that he must leave at five minutes' notice, because they had a mission for him; and when Billot inaugurated the dogma of the *chose jugée*, he had already left Paris nearly forty-eight hours.

But there was one person who derived comfort and fresh courage from Billot's declaration: that was the true traitor, Esterhazy. The publication in the *Matin* of the facsimile of his writing had been too much for his nerves. His writing was familiar to many persons, any one of whom might recognise it in the bordereau. He hied to Paris from Rouen, and there, as witnesses have come forward to attest, his behaviour was extraordinary. On the day after the publication he was running about the streets in the pelting rain like a madman. But Billot's declaration reassured him. He discerned that the War Office had finally espoused the policy of smothering the truth. Even if the secret of the bordereau were to escape, he would now be safe, for the War Office authorities would be bound to protect him in order to protect themselves. However, he took the precaution of altering his handwriting, and, in particular, abandoned his old and characteristic way of making the capitals M. N. A. He also ceased to hold communications with Colonel von Schwartzkoppen.

We will not for the moment follow Colonel Picquart on his mission, but fix our attention on

the War Office. Picquart, when he left, handed over his department, along with the secrets he had unearthed, to General Gonse, who proceeded to appoint Henry head of the Intelligence Department. Now Henry's qualifications for this post were not very obvious. Of all the situations in the War Office it was that in which a knowledge of German was most imperative, but he did not know a word of that language either to read or speak. He was selected as being the fittest man to uphold the *chose jugée* and to resume the tradition of Sandherr, temporarily interrupted by Picquart. Henry has, in his depositions at the Zola trial on February 8, 1898, related how he considered himself the special guardian of the secret dossier of Dreyfus. Picquart had been accused in the Esterhazy court-martial of January 1898 of having in 1896 stolen this dossier out of Henry's safe. In answer to a question on this point Henry said:—

"I was away from the War Office when the dossier was taken by Colonel Picquart. I was on furlough in August or September 1896. Colonel Picquart asked M. Gribelin (the archivist who kept the documents) for it, and he gave it him. . . . I had given M. Gribelin the key as well as the 'word' of my safe.

"The Judge said: M. Gribelin was under the orders of M. Picquart. . . . .

"M. Labori asked: Under whose orders was Colonel, then Major, Henry?

"Colonel Henry: Under those of Colonel Picquart. Not at that moment, however, since I was on furlough.

"M. Labori: M. Picquart was head of the department. Consequently, if I understand aright, Colonel Picquart, as head of it, asked M. Gribelin, who was his subordinate, as was also Major Henry himself, to open the safe *with the key*, that is to say, in the proper and natural manner, and to give him out of it a dossier which belonged to M. Picquart's department. Is that not so?

"Colonel Henry: Quite so. If I had been present I should have observed to Colonel Picquart that my charge—a charge which, moreover, had been intrusted to me by Colonel Sandherr—consisted in this: that I was not to give this dossier to any one, no matter who, or allow him to acquaint himself with it, except in the presence of the under-chief of the *état major*, of its chief, and of myself.

"The Judge: It was Colonel Sandherr who had given you these orders. He is dead, I think.

"Colonel Henry: He was ill, and had lost consciousness.

"M. Labori: And this being so, Colonel Sandherr had been replaced by Colonel Picquart. But Colonel Henry invokes against Colonel Picquart, then his superior, a trust committed to him by his former superior. Is that not so?"

In the same hearing Henry, with an effrontery which almost excites our admiration when we re-remember that he was forger-in-chief, said:—

"What is more, I will explain all about this

dossier. *It is a long time since I took on myself the whole responsibility of it.*

"Certainly, M. le Colonel.

"Very well. Here goes!" . . .

The above extract sets before us Henry's conception of his duty. Sandherr had set him as a sort of watch-dog to guard the secret dossier, with whatever forgeries it contained, which dossier had been illegally communicated to Dreyfus' judges. It was so sacred that Sandherr's successor could not, in discharge of his duty and in simple exercise of his rights as head of the department, demand it and inspect it without being accused subsequently of *stealing* it.

What was in this secret dossier of Dreyfus?

First, there was the letter between Panizzardi and Schwartzkoppen, which had the postscript, "Cette canaille de D . . . . devient trop exigeant." The body of this letter referred chiefly to *petit soupers*, at which the two attachés had entertained the charming wife of D . . . . It may be that Sandherr in 1894 took these references to be the cipher of the German Embassy, and saw menaces to France in every phrase. This may seem absurd, but not so if we bear in mind that the ingenious M. Bertillon, in his three hours' long deposition before Dreyfus' judges, affirmed that, with the help of methods specially known to himself, he had found in the bordereau the exact sum paid to Captain Dreyfus as the price of his treason, to wit, five hundred thousand francs!

Secondly, there were in the secret dossier two genuine letters addressed by Colonel Panizzardi to Schwartzkoppen. They are—and here I speak from personal knowledge—in Panizzardi's handwriting. M. Cavaignac, French Minister of War, read them out to the Chamber on July 7, 1898.

The first was brought to the Intelligence Department of the French War Office in March 1894, and ran thus:—

"Last evening I finally decided to send for a doctor, who forbade me to go out. Being unable to go and see you to-morrow, I beg you to come to me in the morning, for D . . . . has brought me a number of very interesting things, and we must divide up the work, as we have only ten days' time."

The other was dated April 16, 1894, and was as follows:—

"I very much regret that I did not see you before my departure. However, I shall be back in a week. I enclose twelve plans of—(here he gives the name of one of our fortresses, which I omit)—which that *canaille de D* . . . . gave me for you. I told him you had no intention of resuming relations. He alleges that there has been a misunderstanding, and that he will do all in his power to satisfy you. He says he was obstinate, and that you will not bear a grudge against him. I replied that he was mad, and that I did not believe you cared to resume relations. Do as you like."

I have it on the highest authority that not one, but three or four secret documents were shown, or more probably read out to, Dreyfus' judges, behind the back of himself and his counsel. It is certain that the first of these letters was so communicated, and there can be no doubt that the other two were also. It was to these two that Cavaignac especially appealed on July 7, 1898, when he undertook to lay before the Chamber Dreyfus' secret dossier.

Lastly, there were in Dreyfus' secret dossier documents which, as Picquart pointed out in his deposition, applied to Esterhazy alone.

Now all three of these documents suffer from a defect; they do not mention Dreyfus by name, and might equally well apply to Drumont—indeed much better, since he has so long been the friend and accomplice of the traitor Esterhazy. The writer in the *Eclair*, as we have seen, felt this defect so acutely that he filled up the blank with Dreyfus' name written in capitals.

The simplest way of remedying the defect was obviously to have further documents akin in their general character to these three letters, but in which Dreyfus should be *named;* and Henry, even before he succeeded to the post from which Picquart was, on November 16, 1896, abruptly hurried away, already set himself to supply what was required by means of forgery. Panizzardi's two letters were scribbled on a particular sort of ruled paper and with a blue pencil. Accordingly, he procured paper

as nearly of the same kind as he could, and a blue pencil. Then he took an ex-policeman, who had been expelled from his profession for crime, into his confidence, and the two of them together, perhaps with the aid of Du Paty de Clam, Lauth, and Gribelin, and almost for a certainty with the connivance of Boisdeffre, if not of Gonse, concocted the following letter, the text of which we owe equally to the candid M. Cavaignac :—

"I have read that a deputy is going to make an interpellation on Dreyfus. If—(here is a portion of a phrase which I am unable to read)—I shall say that never have I had any relations with this Jew. That is understood. If you are asked, say the same, for nobody must ever know what has occurred with him."

It is necessary to give this in the original French, and I do so, italicising words or phrases which involve elementary faults in French grammar and parlance, such as Colonel Panizzardi or Colonel Schwartzkoppen, who are both of them graceful French scholars, could not possibly have committed :—

"Si . . . je dirai que *jamais j'avais* des relations avec ce juif. C'est entendu. *Si on* vous demande, dites *comme ça*, car il *faut pas que on* sache *jamais personne* ce qui est arrive *avec lui*."

The last phrase seems to have been modelled on a German original: "was *mit ihm* geschehen ist." I should conjecture that Lauth, who was an Alsa-

tian, and the only man in the bureau who knew German, first constructed the letter in that language, and then reproduced the idiom in the French by way of imparting to the whole the needful air of a German *provenance.* Probably they were all of them too ignorant to recognise in the two genuine letters mentioning a spy D. . . . the handwriting of Panizzardi, and thought that they were Schwartzkoppen's. However this may be, it is certain that Lemercier-Picard did the caligraphy; and having discharged his task for the War Office, he went to Colonel Schwartzkoppen and earned an extra *pourboire* by revealing to him the exact character and extent of the forgeries with which the *état major* was arming itself against those who might agitate for a revision of Dreyfus' sentence.

But this letter, written in a French worthy of a negro of Hayti, was only one of a series of which each item must be equally a forgery with this one. The existence in the archives of this forged correspondence between the German and Italian attachés was revealed by M. Cavaignac on July 7, 1898, when the circumstance that it belonged to and formed part of a coherent series was invoked in favour of its genuineness:—

"Its genuineness is proved beyond doubt by the fact that *it forms part of a whole correspondence which took place in* 1896. *The first letter* is that which I have just read out to you. *An answer to it* contains two words which evidently tend to reassure

the author of the first letter. *A third letter* follows of a kind to dissipate many of the obscurities, and indicates, with absolute precision—so absolute that I cannot read to you a single word of it—the very reason why the correspondents (*i.e.* Panizzardi and Schwartzkoppen) felt so much anxiety. . . . Thus the guilt of Dreyfus is not established merely by the judgment of the court which condemned him; but still further by a piece two years later in date, *a piece which fits quite naturally into its place in a long correspondence*, of which the authenticity is beyond discussion."

It is clear from the above that the whole of their supposititious correspondence was suggested by the interpellation of Castelin on November 18, 1896. That is the incident referred to in the first letter, and this entire mass of forgeries was complete soon after Henry replaced Picquart at that date. It was indeed the turning-point in the history of the case; for from that moment Dreyfus' condemnation ceased to be a judicial error, if indeed it had ever really been one, and became a dark crime, of which the heads of the French army and the leading politicians now made themselves spontaneously the accomplices.

Meanwhile the publication of the facsimile of the bordereau in the *Matin* on November 10, 1896, had given to those who had never believed in the guilt of Dreyfus just the weapon they wanted—namely, the solitary piece of material evidence that had been overtly advanced in his court-martial,

They did not indeed know that it was Esterhazy's handwriting. To learn that they were yet to wait for another weary year, and even then it was not through Picquart, but through De Castro, Esterhazy's stockbroker, that this appalling truth was to burst upon the world. Still negative results are worth attaining to in some cases; and it could at least be shown that Dreyfus had not written the bordereau, now that a photograph of it was procurable for a couple of sous.

M. Bernard Lazare, who had already published in the autumn of 1896 the small brochure above mentioned, published in 1897 a second and larger work, entitled "L'Affaire Dreyfus." In this he published the graphological results reached by nine of the leading experts in handwriting in Europe and America. These were MM. Crépieux-Jamin, Gustave Bridier, De Rougemont, Paul Moriaud, E. de Marneffe, De Gray Birch, Th. Gurrin, J.-H. Schooling, J. Carvalho. They were supplied on the one hand with facsimiles of the bordereau, and on the other with facsimiles of no less than sixteen private letters of Dreyfus, written during the period 1890 to March 1897. They worked independently, and each embodied in a report full of the minutest observations the reasons on which he formed his judgment. With singular unanimity they all declared that the bordereau was written currently, and in the normal hand of the writer, but by another person than Dreyfus. For those who take an interest in the

study of handwriting this volume of M. Lazare's is a mine of information. In a thousand subtle ways the two handwritings are shown to be distinct, and it is a revelation to any one unschooled in this field of research to be shown how intensely individual is a person's handwriting, and in what manifold ways, unnoticed by a prejudiced blunderer like Bertillon, that individuality must reveal itself.

And in view of the subsequent disclosures of the real traitor, it is curious to read his moral physiognomy as it was detected beforehand in his handwriting by M. Crépieux-Jamin, whose conclusion was that though there were no fundamental resemblances between the two handwritings, yet there was enough superficial resemblance to suggest that the writer of the bordereau had imitated Dreyfus' handwriting. The subsequent comparison, impossible then, with Esterhazy's real writing, proved that this hypothesis was wrong; and that the bordereau was homogeneous throughout with other specimens of his style. But that so skilled a graphologist as M. Crépieux-Jamin saw a superficial resemblance explains the error of Bertillon, Du Paty de Clam, and of Dreyfus' judges. Now let us read the chapter in which M. Crépieux-Jamin traces out from their handwritings alone the characters of the two men, Dreyfus and Esterhazy:—

"It results," he says, "from the preceding investigation, that the differentiation of the two handwritings obliges us to attribute them graphologically to two distinct personalities."

"That of Dreyfus reveals an intelligence quick, clear in analysis, capable of rising to actual talent in any one given direction.

"His character is at once one of extreme sensibility and extreme reserve, most difficult to fix analytically. There is something about him that is hard and proud, and which alienates our sympathy and affection. He is endowed with remarkable energy and perseverance.

"The other writing, that of the document of which the authorship is in question, reveals to us an intelligence perhaps not less cultivated than that of Dreyfus, but a false and illogical mind—quite the contrary in this respect of Dreyfus.

"His restlessness is extreme. It is a nature false, lying, profoundly repugnant.

"His energy is feeble, inconstant, and his feelings are at the mercy of the caprices of his imagination and mediocre judgment.

"One easily understands that such a person wrote the document in question, so incoherent that it is impossible to tell whether the project of a manual of firing has been handed over, or promised, or copied. Dreyfus would have been clearer.

"Between the two men there is a fundamental difference. Dreyfus is but moderately sociable, but he is a character. The author of the document X (the bordereau) is above all extremely cunning, dangerous, and devoid of character."

CHAPTER VIII

THE MACHINATIONS AGAINST PICQUART

Picquart, we saw, left Paris on the 16th November 1896, having actually left the Intelligence Bureau two days earlier. The following is General Gonse's account why he was sent away, given in his evidence at the Zola trial, February 12, 1898 :—

"Colonel Picquart had not completely followed all the instructions I had given him. I knew, too, that he was, so to speak, hypnotised by this Dreyfus-Esterhazy question.

"I had always told him not to follow this track under such conditions as he indicated to me. He did not thoroughly perform his duties, being absorbed by this affair, and as the chief of the *état major* (Boisdeffre) has told you, they sent him on a mission to try and rectify his judgment. Such was the drift also of the representations which I made to him at that time; for he was an officer who had done his duty very well until then, and who is capable of doing it very well, if he chooses, in the future."

It is distressing to read such words as these. We feel in the presence of a man who has another set of moral categories than our own. "To rectify one's judgment," that is, to stifle one's conscience—to renounce the will to redress a great injury discovered

by oneself. "To do one's duty" is to fall back into line with those who desire to conceal the truth. "Colonel Picquart is still capable of doing his duty if he chooses;" in other words, Gonse still hopes that he will make his compact with crime, and regain his status among the higher officers of the French army. Such is the demoralisation, the utter abnegation of soul and conscience, which a Jesuit training produces among French officers.

The mission of Colonel Picquart was at first vague and mysterious in its character. At first he was sent up and down France, north and south, east and west; but always as far as possible from Paris. After two months of this he was sent to Tunis, which he reached on January 13, 1897. At that date he wrote to Gonse asking if he might be permanently attached to a regiment, and not henceforth required to serve in the *état major*. Gonse wrote him an affectionate reply to the effect that he must continue his mission for the present, but that when it was over his services might be required again. All this time the War Office was really deliberating about how best to get rid of so awkward a witness to the truth, so that he might never be seen again. It was determined at last to dispatch him without an escort to the same disturbed region of the Tripolitan frontier where De Morès had been murdered by the natives. The following is from the shorthand report of the Zola trial, February 11, 1898:—

"Labori: Was this mission important?

"Picquart: It was not indispensable, I think. . . . I should not like to criticise my superiors from that point of view; but, as a matter of fact, I find that it was not necessary to send any one.

"Labori: Anyhow, Colonel Picquart himself has always understood quite well the object of his mission?

"Picquart: No, though I did my best to understand it. . . .

"Labori: Why does Colonel Picquart think that his presence at Paris was not desired?

"Picquart: I do not know. . . .

"Labori: If I rightly understood the deposition of Colonel Picquart, he told us that at a given moment his mission was to end at Gabès?

"Picquart: What I said was that *just at the time when the Dreyfus business began afresh*, I received orders to place myself on the frontier of Tripoli. It was General Leclerc who told me that he would not allow me to go any farther than Gabès.

"Labori: Had Colonel Picquart received orders to go any farther than Gabès?

"Picquart: General Leclerc had received orders to send me along the frontier of Tripoli.

"Labori: General Leclerc had received orders to send you to the frontier of Tripoli. With what troops?

"Picquart: Nothing was specified.

"Labori: But what were the reasons which General Leclerc gave you for not allowing you to go any farther? Did it not seem to you very odd?

"Picquart: He asked for fresh instructions.

"Labori: Why?

"Picquart: Because there was no urgency.

"Labori: Is the point to which they were sending Colonel Picquart a dangerous one?

"Picquart: It is not one of the . . . safest points."

The next day Gonse went into the box and betrayed an excessive anxiety to repel the suspicion which Picquart's answers had roused:—

"I have said that we had always acted with the greatest regard for Colonel Picquart's welfare. . . . It has been said that he was sent to the confines of Tripoli with an end in view which I will not describe. That is all a pure romance. We are not in the habit of sending our officers to be killed for nothing at all. This part of his mission was due to the situation created by the Macedonian war, which had excited the Mussulmans everywhere, and particularly in Tripoli, where certain events had taken place."

General Gonse's explanation provoked a rejoinder from Colonel Picquart, who said:—

"When General Leclerc received the order to send me to the frontier of Tripoli, he had had reason for some time before to find such a mission very odd. But then I had to explain myself, for the General said to me: 'You really must give me some explanations. What is at the bottom of all this?' That shows that my mission was by no means so natural as they pretend.

"I should not have entered into these details if

General Gonse himself had not done so. I did not say that they wished to get me killed. . . .

"Gonse: They said it yesterday.

"Picquart: I do not think that any one actually said so.

"The Judge: It was the meaning of Colonel Picquart's answer.

"Picquart: General Leclerc talked to me about the pretext given for my going along the frontier, and which was I hardly know what . . . some horsemen or other that they were exercising on the frontier . . . and he said to me: 'That is all over. It has been contradicted. It is all nonsense, and I will not have you go farther than Gabès.'"

It is evident from the above that the French War Office had planned to set this officer, whose only crime was that he had a conscience, in the forefront of the hottest battle, where it was hoped that the sword of the Bedouin, which "devoureth one as well as another," would do away with him. It was hoped that the demonstration of Dreyfus' innocence and of Esterhazy's guilt would die with him.

In the course of the year 1897 the conviction steadily made its way into the minds of men of reflection that the Dreyfus trial was an error of justice, and worse, and the publication of M. Bernard Lazare's book, with the facsimiles it contained, about June, proved to every one who read it, and was not infected by the anti-Semitic rabies, that at any rate Dreyfus could not have written the bordereau.

In proportion as the movement in favour of truth

gained ground, the War Office men set their teeth. They had failed to get Picquart put out of the way, so they resolved to ruin him in another way. It was the *petit bleu* or telegram-card of May 1896 which had put Picquart on the track of the real traitor, and which, taken in conjunction with the bordereau and his scarred and scabrous private life, conclusively proved Esterhazy to be the real traitor. What was to be done? Esterhazy, as we have seen, was warned in October 1896. Six months later the plan of campaign was matured against Picquart. He was to be accused of having forged the *petit bleu* in order to incriminate Esterhazy, whose name, it was hoped, would not ever transpire. Picquart himself knew what was brewing, and that Henry was the leading spirit in the conspiracy. Towards May 1897 he had occasion to return to the War Office some letters which concerned that bureau, but which, having been addressed to him by mistake by agents who did not know of his dismissal, had been forwarded to him at Soussa. Picquart, in returning these to Henry, wrote thus[1] from Soussa on May 18, 1897:—

"I should be glad if you would once for all tell people who come and ask for me at the War Office that I have been relieved of my duties. I have nothing in that to be ashamed of, but I am ashamed of the mystery which surrounds and the lies which are told about my departure."

[1] Procès Verbal of Zola Trial, I. p. 155.

For all this time the War Office was concealing, as far as it could, why Picquart was gone, or even that he was gone. The last thing they desired was that it should be connected in any one's mind with the Dreyfus affair.

At the beginning of June, Picquart received in reply a threatening and abusive letter from Henry. It accused him of vamping up mysteries himself, and formulated three charges. First, of opening private letters for obscure motives foreign to his official duties. This referred to the seizure by Picquart, with the assent of his chiefs, of Esterhazy's letters in the post. Secondly, of trying to suborn two officers in the Intelligence Department to say that a document belonging to that department was written by a particular person. This charge was, as we shall see, more clearly formulated in the Zola trial in February 1898, when Lauth accused his former superior of trying to induce him to swear against his better knowledge that the *petit bleu* was in the handwriting of Schwartzkoppen. Thirdly, of opening a secret dossier, and of using it indiscreetly, to the prejudice of the service.

Henry's letter was couched in abusive terms, which it was inconceivable he should have used to Picquart, who was his superior in rank, unless he was assured beforehand of the support of his hierarchical superiors. Picquart saw that he was surrounded by machinations. One point in the intrigue against him already begun should be

noticed here; chronologically it belongs to December 1896, but it only came to Picquart's knowledge a year later. Colonel Picquart was a favourite in the salon of a Mademoiselle de Comminges, a lady aged fifty-five. In that charmed circle he was known under the sobriquet of *le Bon Dieu;* a friend of his, Commandant de Lallemand, as *le Demi-Dieu.* About November 20, 1896, the secretary of Mademoiselle de Comminges wrote to Picquart a playful letter, in which he spoke of *demi-dieu,* of a Cagliostro, and of a number of other things intelligible to any one familiar with the polite and harmless slang of the particular salon, but fraught with mystery to any enemy of Picquart's who knew nothing about it.

As soon as Picquart's back was turned at the War Office, November 18, 1896, Henry, his successor, began to open in his *cabinet noir* all private letters which came addressed to Picquart, and among others this one from the secretary of Mademoiselle de Comminges. He took a copy of it, then carefully closed it again and sent it on to Picquart, who never noticed that it had been tampered with.

Henry had probably long before this been co-operating with Du Paty de Clam, and he now took him into his confidence about this harmless letter, mysterious only to conspirators like themselves. They thought that it might be turned to account against Picquart, so they communicated with Esterhazy, and the entire group of traitors wrote the

following letter and addressed it to Picquart at the War Office in Paris:—

"Your brusque departure has filled us with dismay. The work is compromised. Speak and the *demi-dieu* will act.—Yours, SPERANZA."

The name Speranza will meet us later on as the regular pseudonym under which Du Paty de Clam, with Esterhazy's connivance, writes to him or to Picquart. The immediate purport of this first forged letter, which of course was not forwarded to Picquart, but lodged in one of Henry's pigeon-holes, was this: The conspirators hoped to appeal to it later on, whenever they should desire to prove to people who desired to be taken in that Picquart was already, in December 1896, in league with the "Syndicate of Treason," as the Dreyfusards were already called. The *demi-dieu* could then be interpreted as the head of the said syndicate.

Thus these criminal, but somewhat silly, intrigues, along with the more elaborate forgeries described in chapter vii., had already for six months occupied the new chief and staff of the Intelligence Department, when in June 1897 Picquart resolved to take steps to protect himself. He was now provisionally attached as colonel to an Algerian cavalry regiment. He had a right to visit Paris, and he did so. There he went to Maître Leblois, a friend of his youth, and, like himself, a native of Strasbourg, and now a member of the Paris Bar. He laid before him Henry's

threatening letter, all but the third charge in it, acquainted him with the cause of the machinations against himself, namely, his discovery of the true authorship of the bordereau, and left in his hands the series of fourteen letters which had passed between himself and Gonse relating to the matter in question. Maître Leblois was only to use these letters when it should be necessary to do so in Picquart's defence.

Till now Picquart had kept the secret to himself, always hoping that outside pressure would perhaps constrain the War Office to do justice. That hope must have died in him before he resolved in self-defence to consult his legal friend Leblois. But this action of his led to a very important development of the case, for Leblois, in September 1897, acquainted Scheurer-Kestner, President of the Senate and the most distinguished Alsatian in France, with all that he had learned from Picquart. Kestner belongs to the oldest and most distinguished family in Strasbourg, and is a man who, with the highest scientific culture, combines a singular nobility of character. He had long entertained suspicions that Dreyfus' condemnation was an error of justice, and now that he was left without a doubt, he at once took the course that real patriotism and genuine regard for the French army dictated, and which was outlined in his deposition on February 8, 1898, at the Zola trial. After repeating to the jury the second letter of Piquart to Gonse, he continued as follows:—

"Gentlemen, after I had read this letter my conviction was formed. I was convinced that there had been an error. I saw General Gonse, Picquart's superior, sharing his ideas and looking upon revision as possible. What could I but do? It was my first duty to communicate with the Government, with the Minister of War. It was my first duty to take to him the documents, and show him that the handwriting of the bordereau was that of Esterhazy and not of Dreyfus. That is what I did. I went to General Billot and had a very long conversation with him. I laid before him the documents I had, but did not at once mention the correspondence which had passed between General Gonse and Colonel Picquart. I thought it better not to do so. However, I lost no time in offering to communicate to the Government this correspondence, and naturally I was authorised to make a copy of it and send it to them.

"Unhappily, things had gone too far. Perhaps the Government was in another mood than it had been at first. I do not know. Anyhow, my communication was refused. It seemed to me that it concerned the honour of the Government, the honour of the Republic, the honour of the democracy, the honour of the army, that the initial step in the redress of such a wrong should be taken from above and not from below. That is why I addressed myself to the Government. . . . I almost went on my knees to the Minister of War during my visit to him. I prayed him to demonstrate to me Dreyfus' guilt, and offered to proclaim it on the housetops. . . . He simply repeated, 'He is guilty.' 'Prove to me,' I

said, 'that he is.' 'I cannot prove it to you,' was his only answer."

Scheurer-Kestner also had many interviews with M. Méline, the President of the French Cabinet, but equally in vain. In his concluding depositions he returned to his interview with Billot, the Minister of War:—

"My conversation with General Billot, who is my old friend of twenty-five years' standing, lasted a long time.

"Yes; I besought him to give all his attention to an affair which otherwise threatened to become extremely grave. 'It is your duty,' I said to him, 'to take the first step. Make a personal inquiry; trust the matter to no one but yourself. In certain bureaux there are dossiers; have them brought to you. Do not leave things to intermediaries; examine them yourself personally and loyally. And if you promise to make such an examination, why then I promise you to keep silence until I know the result of it.'

"When I left him, General Billot begged me to keep absolute silence. I complied, but under one condition. 'You need two days,' I said, 'to conduct this inquiry. I will give you fifteen days, and during those fifteen days I will not stir.'

"What ensued? During those very fifteen days the ministerial journals dragged me in the mud, denounced me as a dishonest man, as a miscreant; overwhelmed me with insults, and called me 'a German and a Prussian.'"

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"As they call me an Italian," here interjected M. Zola, who was sitting in court.

In point of fact, Billot set on several officers of his entourage to write inflammatory and defamatory articles about M. Scheurer-Kestner. To deal with this hornet's nest of the *état major* there was needed some one who could strike heavier and more telling blows than so tranquil and elevated a personality as he would condescend to deal. He had laid his hand on them, and had got it badly stung by his lifelong friend Billot, who, like Mercier before him, and Cavaignac, Zurlinden, and Chanoine after him, seems to have divested himself, on entering the Ministry of War, of every feeling of honour, humanity, and justice, and, I might add, of all prudence, foresight, and intelligence as well. It needed the trumpet-blast of Zola's unsparing eloquence to open the eyes of any considerable section of Frenchmen to the cancer-growth eating into the heart of their military and civil institutions.

CHAPTER IX

THE AWAKENING

THE discovery of the real authorship of the bordereau was made a second time, and quite independently of Picquart, towards the end of October 1897, by M. de Castro, Esterhazy's stockbroker, who, at the first Zola trial on February 8, 1898, made the following deposition :—

"I was established at that time as a stockbroker, near the Paris Bourse, and I had had occasion to do some business for the Commandant Esterhazy. He was continually in correspondence with the firm, and I knew his handwriting very well; so well, in fact, that when in the morning I had a heavy post-bag to overhaul, I recognised his writing before opening his letter.

"Towards the end of October 1897, I was on the boulevard, when a newsvendor passed by me hawking the facsimile of the famous bordereau attributed to ex-Captain Dreyfus. I was startled when I saw this handwriting, for I seemed to see in it a letter of the Commandant Esterhazy. I went home in great perturbation. On the morning of the next day but one, I went with my brother-in-law and looked out some of the Commandant Esterhazy's letters in the letter-book. I even made some

comparisons of the respective writings, and, as a result, I found a complete resemblance, I will say a striking identity, between them.

"I spoke to some friends of this strange coincidence, and my friends advised me to take some of the letters to M. Scheurer-Kestner, who was interesting himself in the Dreyfus affair. Meanwhile those friends probably talked about it to M. Mathieu Dreyfus, who came one day and asked me to show him these letters. I offered to give him some, but he refused them and said, 'Pray take them to M. Scheurer-Kestner.' I went to him one morning (November 7, 1897), and said, 'Monsieur le Président, I am come to lay before you some very curious documents. You will see for yourself the resemblance which there is between the writing of these letters and the famous bordereau.'

"M. Scheurer-Kestner took these letters, and considered them for a time; then he went out into his bureau, and came back saying, 'Here are some letters which are probably by the same hand, and from the same source.' I recognised at once in them the handwriting of Commandant Esterhazy."

Maitre Labori here asked: "At that moment had the name of the Commandant Esterhazy been already mentioned as possibly being that of the author of the bordereau? Had M. de Castro any idea that M. Esterhazy was already suspected by others of having written it?"

M. de Castro: "No, absolutely no idea. . . Eight or ten days later." . . .

Labori: "Has the witness not received threatening letters?"

M. de Castro: "No, not letters. . . . I received one day a telegram-card, and if M. le Président (*i.e.* the judge) likes, I will lay it before the court."

The Judge: "No; but say what was written on the card."

M. de Castro: "It is a threat: 'If it is you that have given up the letters of which the newspaper *Paris* indicates the initials J. D. C., you shall pay dear for your infamy.' . . . This is in a disguised handwriting."

At the date which my narrative has reached, beginning of November 1897, the French public and the world in general had never heard Esterhazy's name mentioned as that of the real traitor. The chief men in the War Office indeed had through Picquart's discovery learned the truth in May 1896. Picquart had told Leblois in June 1897. Scheurer-Kestner learned it from Leblois in September of the same year. De Castro discovered it independently at the end of October, and through him Mathieu Dreyfus learned it. But as yet it had made its way into no journal.

Scheurer-Kestner's interest in Dreyfus had been first awakened by finding during a visit to Alsace-Lorraine in 1896, that every one in the annexed provinces refused to believe in the poor man's guilt. On October 29, 1897, when he found that Billot and his minions in the War Office rejected his patriotic overtures with insults and contumely, he sent a letter to the *Matin*, in which he said, "I am convinced of Dreyfus' innocence, and more than ever I am

resolved to pursue his rehabilitation." This utterance produced a profound impression; and it was absurd to say that its author had been bought by the "syndicate of treason," since he was known to be rich. Nor was he a Jew, but a Protestant. President of the Senate, he occupied the most august political position in France. Nor could his motive be ambition. On the contrary, his championship of the falsely-condemned Jew, of the "traitor" so indispensable to the Jesuits and their military pupils, could but make him unpopular. And so it has. He has lost his presidency of the Senate thereby, and has become one of the targets at which Drumont and the rest of the journalists in the pay of the War Office sling their daily filth. M. Gabriel Monod, professor of the École des Hautes Études, the founder of critical historical study in the France of to-day, followed in M. Kestner's steps, and publicly declared that he shared his convictions.

On November 14, 1897, M. Scheurer-Kestner once more spoke in a letter to the *Temps*, in which he gave an outline of his overtures to the Minister of War, but still withheld Esterhazy's name, for Leblois had communicated this to him in confidence.

On November 15, 1897, the first great blow fell like a thunderbolt on the guilty *état major*. On that day M. Mathieu Dreyfus, by the advice of M. Scheurer-Kestner, sent to the papers the following letter, addressed to Billot, the Minister of War :—

"The only ground for the accusation made in 1894 against my unfortunate brother is a *lettre missive*, unsigned, undated, but proving that military documents had been betrayed to the agent of a foreign Power.

"I have the honour to inform you that the author of this document is M. le Comte Walsin-Esterhazy, major of infantry, withdrawn from active service owing to temporary infirmities last spring.

"The handwriting of Major Walsin-Esterhazy is identical with that of this document.

"It will be very easy for you, M. le Ministre, to procure the writing of this officer.

"I am ready, moreover, to indicate to you where you can find letters of his, of incontestable authenticity, and of a date anterior to my brother's arrest.

"I cannot doubt, M. le Ministre, that now you know the author of the treason for which my brother was condemned, you will promptly do justice."

This indictment was like a spark falling into a magazine of powder. For days and weeks the ministerial anti-Semite papers rained maledictions on the imaginary syndicate of treason. Yet many of the more serious journals noted as ominous the fact that on the very eve of Mathieu Dreyfus' letter, the German attaché had taken a hurried farewell of M. Faure, the President of the Republic, and had somewhat precipitately gone back for good to Berlin. It was impossible not to connect the two events. The excitement became still greater when the *Figaro*,

under the editorship of M. Rodays, took up the cause of Dreyfus, and published the letters of Esterhazy to his cousin, Madame de Boulancy, and the narrative of Major Forzinetti relative to the arrest and imprisonment of Dreyfus in 1894. These I have already given where in my narrative they belong. Forzinetti was cashiered in December 1897 by the French authorities, and execrated by the clerical press. Yet for a time it looked as if a revision of the unjust sentence were in sight. The Minister of War, Billot, invited the Governor of Paris to open a judicial inquiry about Esterhazy. Many thought that the victory was won, and the *Figaro* actually delegated one of its staff to bear the good news of his vindication and release to the victim on the Devil's Island.

I must here depart for a little from the main current of events to narrate some minor incidents which took place in the closing weeks of the year 1897.

M. Rochefort, the editor of a journal called *L'Intransigeant*, was a member of the Paris Commune in 1871. Though his innate cowardice caused him to run away in the moment of danger, it did not save him from transportation, under the Government of MacMahon, to New Caledonia. He escaped thence with the help of English boatmen and came to London, where, being a good connoisseur of art, he made some money by purchasing old English paintings and re-selling them in Paris. When an amnesty was granted some years ago to the offenders of 1871,

Rochefort went back to Paris and resumed the control of his paper, which is written in a very slashing manner, and is said to bring in to its proprietor nearly half-a-million francs a year. It was necessary for the War Office to make quite sure of this journal; so, early in November 1897, General Boisdeffre, the head of the *état major*, sent one of his aides-de-camp, an officer named M. Pauffin de Saint-Morel, to communicate to Rochefort the most crucial of the proofs of Dreyfus' guilt which the secret dossier contained. Subsequently attention was called to the impropriety of Boisdeffre's action, and as a matter of mere form a nominal punishment was inflicted on De Saint-Morel, who gave out that he had gone to Rochefort on his own initiative, and affected to be very penitent.

The substance of De Saint-Morel's communications as from the War Office to Rochefort appeared in the latter's journal on December 13. It is so amusing that I shrink from withholding it, the more so because the huzzas with which it was received by the clerical and military journals cast a curious light on the psychological condition of their readers.

On December 13, then, under the title "The Truth about the Traitor," Rochefort began thus in his best oracular style :—

"Yes; Dreyfus was condemned by judges who were shown a secret document—nay, several such.

"Why deny it?

"Why not have said so, have cried it aloud on

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the house-tops, instead of keeping silent? Why not have glorified in it as in an action to be proud of, instead of concealing it as a fault?

"For fear of any revision that must follow?

"What matter? Here goes! . . .

"What the Government has not been willing or has not dared to do, we will do it. . . .

"It is hardly necessary to say that the information we now publish has not been furnished us by the Commissary appointed to examine the case of Esterhazy. . . .

"Let it suffice us to affirm that it comes from the best source, that it may be regarded as absolutely authentic, and that, by consequence, once it is known, the noisy protests of the Dreyfus band will be objectless.

"They say that part of the public is in doubt. That doubt will disappear. The partisans of the traitor base some hope on the investigation (*i.e.* of Esterhazy) now in progress; that hope will vanish.

"DREYFUS AND WILLIAM II.

"Dreyfus had long been exasperated at the anti-Semitic campaign conducted by several journals.

"He was very ambitious, and reflected that, being a Jew, he could never reach the tip-top position in the military hierarchy to which he aspired.

"And he considered that, this being so, it would be better for him to recognise as final the results of the war of 1870, to go and fix his home in Alsace, where he had a stake, and, in short, to take up the German nationality.

"It was then that he began to think of sending in his resignation and of leaving the army.

"But before doing so *he wrote direct to the Emperor of Germany*,[1] in order to acquaint him with the sympathy he felt for his person and for the nation of which he is the head; and to ask him also if he would allow him to enter the German army, retaining his officer's grade.

"William II. sent a message to Captain Dreyfus through the Embassy, that it was better for him to serve his real country—to wit, Germany—without quitting the post which circumstances had allotted him, *and that he should be regarded by the German état major as an officer on a special mission in France.*

"It was also promised him that in case of war he should at once assume his proper rank in the German army.

"Dreyfus accepted these conditions.

"And his treason then began, and continued up to the day of the arrest of the traitor.

"The Emperor's Letter.

"This preamble was necessary in explanation of that which follows.

"*One of the famous secret pieces is a letter of the Emperor of Germany himself.*

"It was stolen, photographed, and replaced where it was taken from.

"*In this letter, addressed to M. de Münster, William II. mentioned Captain Dreyfus by his full name,* commented on certain bits of information already given,

[1] These italics and those below are Rochefort's.

and charged the particular agent of the Embassy who was in communication with Dreyfus to indicate to the traitor the other informations which he must collect, as being wanted by the German *état major*.

"Such is the origin of the principal 'secret piece.'"

Rochefort then relates how he had long before received substantially the same story from a military personage, better qualified than most to be admirably well informed; and he goes on to relate another legendary story which he says he got from a foreign military attaché to whom Schwartzkoppen had often talked about the Dreyfus case.

"Here is the resumé," continues Rochefort, "of what I learned.

"Some days before Dreyfus' arrest, the Count de Münster, the German Ambassador, had gone to M. Charles Dupuy, the prime minister, and used the following words to him:—

"'They have stolen from the bureau of the Embassy a parcel of documents, eight letters which were addressed to me.

"'This is a real violation of territory in time of peace.

"'I regret to inform you that *if these letters are not at once restored to me, I shall leave Paris in twenty-four hours.*'

"The documents were returned there and then to the Count de Münster.

"Only *they had been photographed.*

"And it was the photographs of these which were shown to the judges in the court-martial.

"Of these eight letters, *seven emanated from Dreyfus.* . . . The eighth was clearly the imperial missive addressed by William II. to M. de Münster, *in which Captain Dreyfus was mentioned by name.*"

The gist of the above rigmarole is evidently Boisdeffre's communication. It was the method of counterworking Mathieu Dreyfus' denunciation which first suggested itself to the head of the War Office. However it displeased the Government, which first put out a formal denial of it, and then, when Rochefort stood to his guns, threatened to prosecute him. In commenting on the ministerial *démenti* Rochefort uttered a real *bon mot.* "Every one knows," he said, "and the Ministers best of all, that to govern is to lie" (*gouverner c'est mentir*). No saying could more pithily sum up the policy of the Government of Méline and Billot.

Whether the ultra-secret dossier of Dreyfus really contains the seven forged letters of the victim to William II. and an eighth of William II. to De Münster mentioning Dreyfus by name, is not certain; but it is probable for two reasons. Firstly, M. Clémenceau has affirmed in October 1898 that M. Hanotaux gave 27,000 francs for a photograph of a letter to De Münster, in which the Emperor entitles himself *Kaiser von Deutschlands.* This is unlikely, although M. Clémenceau, as a rule, knows what he is talking about. For M. Hanotaux would know that the

Emperor would style himself *der Deutsche Kaiser*. He also, long ago, assured two of the leading literary men in France that he not merely believed, but *knew* Dreyfus to be innocent, and, in view of the turbulent obstinacy with which the generals would oppose revision, regarded his sentence as *le plus grand malheur*, the greatest calamity, which has during this century befallen France. The person to whom M. Hanotaux specially made this remark is my informant. For all this conviction, M. Hanotaux has been more severe upon Dreyfusards than any other French Minister, and has cashiered three French consuls and expelled one Dutch one for overtly expressing their sympathy with M. Zola.

A second reason for believing Rochefort when he claims official authority for this fable is that at the Zola trial on February 12, 1898, Colonel Henry made the following deposition, which deserves to be quoted, though it must be received with caution, since on most points where his evidence could be tested he was found to have perjured himself :—

"In 1894—I beg to call your attention to these dates, gentlemen of the jury—in the month of November, one day, Colonel Sandherr came into my bureau and said : 'You must really look out in your secret dossiers everything that has to do with matters of espionage.'

"'Since when ?' I asked.

"'Since you have been here. Have you arranged them ?'

"I said to him: 'Oh! that will not take long. I have been here a year, since 1893.'

"'Well, look out all you have; you must make a dossier out of it.'

"I looked out what I had, and I found, I think, *eight* or nine pieces—I do not remember the exact number—of which one was very important, and had an extra-confidential character—extra-secret, if you like to call it so.

"I made an inventory of these pieces. I took a copy of some, and I gave the whole to Colonel Sandherr.

"This was, as I told you, gentlemen, just now, in November 1894.

"The Colonel took them, and kept them about a month. On the 15th or 16th of December 1894, the Colonel came to me and said: 'There is your dossier.'"

Henry then went on to say that the most important of these pieces was photographed by Sandherr. When the latter returned the dossier, three days before the Dreyfus court-martial opened, Henry asked him:

"'But how is it that you do not want this dossier any more?'

"He answered: 'I have a more important dossier that that, and I will show you a letter out of it.'

"He showed me a letter, but made me swear never to speak of it. I swore. He showed me a letter more important than those in the dossier.

He said: 'I have along with that some documents, but I keep them by me, and I shall use them if need be.'

"I never again heard of this second dossier; the Colonel never intrusted it to me.

"There, I give you the history of the dossier. As to the other, I do not know what became of it; I have never seen it. Colonel Sandherr never spoke of it to me but once, December 16, 1894."

It would at first sight appear that the first secret dossier compiled by Henry the forger, in which were eight pieces, of which one was extra-confidential, was identical with the one communicated by De Saint-Morel in behalf of Boisdeffre to Rochefort. The hypothesis that both Rochefort and Henry were lying, in itself likely enough, is untenable in view of the evidently undesigned coincidence between their stories, and of the morbid anxiety of Méline's Government to deny Rochefort's tale. But it is also to be remarked that Colonel Picquart, who, on account of the professional secret, did not allow himself to say much about it, yet admitted on February 18 that the first of these dossiers existed, and that it contained the piece, "*Cette canaille de D.*," which in his evidence Henry first affirmed and then denied to be part of this dossier. Picquart added that it would be as well to verify the authenticity of these pieces, and he instanced the particular letter of 1896, which has since been proved to be Henry's forgery.

Yet there meets us here a puzzling contradiction. How could Henry's dossier of eight or nine pieces contain seven letters of Dreyfus and the Emperor's as its eighth, and along with these the "*Canaille de D.*" letter? Yet Picquart seems to imply on February 18, and Henry on February 12—though the latter was not consistent with himself—expressly says, that the dossier of eight or nine pieces contained the "*Canaille de D.*" document. May we infer that this, like Henry's forged correspondence, was a later accretion?

De Saint-Morel deposed at the Zola trial that he communicated to Rochefort "what was said out loud, and without any mystery around him, in the *état major*." That is likely enough,

I have stated in a former chapter what is known for certain of the secret dossier shown to Dreyfus' judges. How to reconcile the accounts of Henry, Rochefort, and Picquart, I know not. One thing is certain, and that is, that the last of the trio is alone trustworthy; that he has seen and had in his hands for months all the secret dossier of Dreyfus, and that he declares that what there is of it that is not palpable forgery does not concern Dreyfus, nor in any way inculpate him. Nor did Picquart's evidence countenance the existence, alleged by Henry, of an ultra-secret dossier retained by Sandherr for use at Dreyfus' trial, and never seen by any one else. Lastly there is a good deal of reason to suppose that the forged letters of Dreyfus to William II., along with

William's to De Münster, actually exist, and are forgeries of Henry himself, fabricated "to order," for Sandherr's use.

One other incident which took place at the end of the year 1897 must be briefly mentioned. I have already mentioned Lemercier-Picard, who executed for Henry the material part of his forgeries. It was almost certainly at the instigation of the party of forgers within the War Office that Picard, in the course of December 1897, concocted the following letter, supposed to be addressed to Esterhazy's mistress by a German officer with the Christian name of Otto :—

"13*th December* 1894.

"MADAME,—Your demands (*votre exigence*) pass all limits. You keep no account of the sums paid out, much more considerable than those which had been promised you; and yet you have not handed over the whole of the documents enumerated in your bordereau.

"Let me have the piece in question, and what you ask shall be given you.

"Please tell Walsin that I shall be with Sternberg on Tuesday evening. OTTO."

This forgery was, as my reader will see, suggested by the bordereau, the *petit-bleu*, and the secret document: "*Cette canaille de D . . . devient trop exigeant.*" Lemercier-Picard was to take it to the Deputy Joseph Reinach, one of the most ardent and strenuous of the upholders of Dreyfus' innocence; and it

was expected that he would welcome it as a new proof of Esterhazy's guilt, pay money for it, and publish it; then the War Office was to turn round and denounce the Dreyfusards for fabricating proofs of Esterhazy's guilt. For the cry of the military and Jesuit faction was that the "syndicate of treason" was trying to substitute an innocent man, Esterhazy, for the guilty man, Dreyfus.

But the plot failed. Reinach detected the letter at sight as Lemercier-Picard's own forgery, and kicked him downstairs. Thus foiled in his first attempt, the chartered forger of the *état major* re-resolved to make a little money, after all, out of his handiwork. So he photographed it, wrote the word *copié* in the corner in a hand as much like Reinach's as he could, and took the copy to Rochefort, representing to him that it was a forgery which, for the modest sum of 10,000 francs, Reinach and the Dreyfusards had persuaded him to commit, in order that they might have some evidence against Esterhazy.

The whole idea was redolent of Colonel Henry, with whom Lemercier-Picard had been so long associated.

However, it was the ex-policeman's own happy thought to play off on Rochefort a trick learned in the Intelligence Bureau under Henry, and intended for the Dreyfusards.

It succeeded admirably. Rochefort gorged the bait with the most naïve credulity, gave Picard

several hundred francs for the "tip," and beginning on December 25, 1897, wrote a series of five articles denouncing "*cet échappé de Ghetto.*" I may add that Lemercier-Picard persuaded the Marquis de Rochefort that the original had been in cipher, no doubt after the model of the "*Canaille de D*" document; and great stress was laid on the word *copié* in the corner. "All to whom I have shown the letter," wrote Rochefort, "and who are familiar with Reinach's writing, have said to me without the least hesitation: 'The word was certainly written by him.'"

The end of it was that in January 1898 Reinach sued Rochefort for criminal libel, and the editor paid for his credulity by going to prison. That a mob of Drumont's young men escorted him in triumph to and from the gaol can hardly have made up to him for the deception to which he had fallen a victim.

Shortly afterwards Lemercier-Picard was found strangled in his lodgings. He knew too much and the War Office was tired of him. He had not only tricked Rochefort, but had revealed all the forgeries of the War Office to Schwartzkoppen, with the result that the German and Italian ambassadors had gone to M. Hanotaux, the then French Minister of Foreign Affairs, had told him exactly what forged correspondences between their attachés lay in the lockers of the *état major*, and had exacted a solemn promise from him that these forgeries should be kept for

military consumption only, and not be published for the delectation of juries and Chambers of Deputies. There was thus an obvious reason why Lemercier-Picard should disappear, and, like the last Prince de Condé, he was strangled, and nothing said about it.

CHAPTER X

ESTERHAZY AND DU PATY DE CLAM

Mathieu Dreyfus' denunciation of Esterhazy as the author of the bordereau greatly embarrassed the *état major* under General Billot and the subservient Government of M. Méline; it was evident that the forecast made in Picquart's letters to Gonse was coming true. It has been observed by moralists that an error of justice, unless it is admitted and set right at once when it is proved, is apt to fester. Fresh lie upon lie must be told in order to back up the original one, and what was an error perhaps at first speedily becomes a crime, and involves its defenders in new crimes from which they would at the beginning have recoiled with horror. Meanwhile, if there exist, as there does in France, a certain liberty of the press, the truth, just because it has a thousand footholds in reality where the lies have none, must in the end triumph, and one day the top-heavy fabric of fraud and cowardice falls by its own weight.

But in the last weeks of 1897 the men of the *état major* had on their side the people who shouted loudest, and the French middle class were ready to believe that a syndicate of Jews, eager to vindicate a Jewish traitor, was vilifying the army, merely because

a patriotic minority, with something of Picquart's foresight, had begun to denounce the irregularities and errors of the court-martial of 1894, and demand a judicial revision of it.

However, the War Office was not long in making up its mind what line to take. To own to a mistake had become impossible after their treatment of Colonel Picquart. They resolved therefore to have the sanctity of the *chose jugée* upheld anew in the Chamber. To do that they could rely on Billot and Méline, who was being kept in power by the reactionary and clerical party in the Chamber. At the same time they would go through the form of trying Esterhazy for treason, and would acquit him to order. His court-martial would also give them an opportunity of assailing Colonel Picquart, over whose defence of himself, as soon as he should present himself in the witness-box, a veil could be drawn by invoking the secrecy of the *huis clos*, or closed doors. I will take these points in order.

On November 18, General Billot being interpellated in the Chamber, allowed that he had had a confidential interview with M. Scheurer-Kestner. "He showed me," said Billot, "documents which he did not leave with me, and which I had no right to receive at his hands." He then proceeded to declare that the Government had invited M. Scheurer-Kestner "to lay his case before it according to the forms prescribed by law." This was a mere quibble. After the revelations made by the *Eclair* in 1896,

and more than a year later by M. Kestner and Mathieu Dreyfus, the responsibility lay with the Government itself. Outsiders had done all they could. The Government alone, through the action of the Keeper of the Seals, could initiate a revision of the case by the Supreme Court of Appeal.

On December 5, 1897, M. Castelin put a question in the Chamber of Deputies, which was turned into a formal interpellation by the Count de Mun, the royalist and clerical party leader, and M. Sembat, a socialist *élève* of the Jesuit Collège Stanislas. In reply to them, M. Méline declared that there was no such thing as an *affaire Dreyfus;* and General Billot got up and added that "on his soul and conscience he believed that Dreyfus was justly condemned."

On December 7 there was a fresh interpellation in the Senate, and then both the Minister of War and the Premier declared that they had resolved that the Government should not take the initiative in revision, "in order not to invalidate the authority of the *chose jugée.*" It was evident that nothing could be done with a Government so hopelessly servile to the military and clerical faction. There was nothing that M. Scheurer-Kestner and his friends could do except appeal, as Voltaire did in the case of Jean Calas, to public opinion. The other party set them the example, for the adventure of M. Pauffin de Saint-Morel, related in my last chapter, proves that the heads of the War Office, who had made a personal matter of the condemnation of Dreyfus, had

lost no time in opening through the press of Rochefort and Drumont in the field of public opinion their campaign of calumnies and lies.

Being sure of the civil authorities, the Minister of War invited the Governor of the Paris garrison to open a judicial inquiry about Esterhazy, and the conduct of this inquiry was intrusted to General de Pellieux. It was the intention of the generals to keep Picquart safe out in Tunisia until Esterhazy's somewhat impaired virginity of character was restored to him, for they knew that Picquart's evidence would sorely hamper the operation. In this aim they were disappointed; for the journals which demanded that Picquart should be summoned were too many and too important to be neglected. It must be remembered that the *Temps*, the *Débats*, and the *Figaro* were at that time inclined to revision, and that the great wave of military terrorism had not yet led their editors to "rat."

The first essential, however, was to reassure Esterhazy. We have seen in the "*Lettre d'un diplomate*" into what perturbation he was thrown on October 16, 1897, by the news of Scheurer-Kestner's impending action; and how in despair he went to Schwartzkoppen, and threatened to blow his brains out unless he went to Dreyfus' family and pretended to them that he had in his hands proofs of the ex-captain's guilt. At one time he actually ran away from France and went to Lugano, whence Du Paty and his other friends in the *état major* had some difficulty

in coaxing him to return—a thing very necessary for them to do, since his flight meant his guilt, and his guilt their exposure. All this took place before De Castro made his discovery, and at a time when Scheurer-Kestner alone had begun to move in the matter. In this connection I must reproduce part of M. Mathieu Dreyfus' deposition made at Esterhazy's court-martial.

"Towards the end of October 1897, at a time when as yet no accusation weighed on him, and when as yet his name had not been uttered in any quarter, a deep anxiety preyed on Esterhazy.

"Why, at such an early date, this emotion, this anxiety?

"The reason was that in the newspaper offices there was a rumour, accredited by the note in the *Matin* of October 10, that M. Scheurer-Kestner was convinced of my brother's innocence, and that he knew the real author of the bordereau.

"The real culprit was the only person who could feel himself threatened and exposed by such rumours. They could strike terror into no one but him, and he was struck with terror, as the following facts prove.

"On October 20 and 26, Esterhazy wrote two letters . . . to M. Autant, landlord of a house, No. 49 Rue de Douai, in which he had a room where his mistress, Madame Pays, lived. In these letters Esterhazy asked M. Autant to transfer the lease of the room into Madame Pays' name. The transfer was not made quickly enough, and Madame Pays went to M. Autant to urge him to make haste, because Esterhazy, she said, was under the necessity

of disappearing or committing suicide within forty-eight hours."

Of course, Madame Pays' object was to have the lease made out in her name before the catastrophe occurred, otherwise Esterhazy's relations could turn her out and seize the furniture. It was soon after this, according to Madame Pays, that Esterhazy ran away, or took a holiday, as she put it in her deposition.

The same witness—Mathieu Dreyfus—proved that on October 24 Esterhazy wrote, and had sent from Lyons to M. Hadamard, Alfred Dreyfus' father-in-law, a letter threatening himself and M. Hadamard with death: "One step more," it said, "and death is on you both."

It was not enough to write threatening letters to those persons alone, but, emulating his friend Henry, Esterhazy was bold enough to write in the same strain to Picquart, whose deposition respecting this letter and the accompanying circumstances follow. Referring to his sudden recall to Paris in November 1897 in order to give evidence, or rather to be himself transformed into the accused at the Esterhazy court-martial, he deposed as follows:—

"I had already received orders to go to the south, when they summoned me to Tunis, where they put to me questions which struck me as rather singular. They asked me firstly, whether I had not allowed a secret document to be stolen from me by a woman. It was easy for me to answer that I had never taken

documents to my house, and that there was no possibility of a woman taking such a document from me."

This was about the 8th of November. Within a day or two, on the 10th or 11th, Picquart received, all on the same day: 1st, a letter from Esterhazy; 2nd, a telegram signed *Speranza;* 3rd, a telegram signed *Blanche.* Here is Picquart's account of the letter:—

"Major Esterhazy's letter ran substantially as follows:—'I have lately received a letter in which you are formally accused of having suborned non-commissioned officers to procure you writing of mine. I have verified the statement, and it is true. . . . They have also informed me of the following circumstance, viz., that you had carried off documents belonging to your department in order to form a dossier out of them against me. This statement about the dossier is true, and at this moment I have a document belonging to it in my possession.' . . . Then followed a long, pompous phrase like this: 'I cannot believe that a higher officer in the French army has gone so far as to practise. . .' &c. 'An explanation is incumbent on you.'

"At the same time I received a telegram signed *Speranza* which ran: 'Stop *demi-dieu.* Everything is found out. Matter very grave.'"

Both the letter and the telegram were addressed to Tunis: wrongly, for Picquart was then at Soussa, and in the address of both his name was misspelled

Piquart. It was evident, therefore, that the telegram had been addressed, if not written, by Esterhazy.

On the same day, as I have said, Picquart received a second telegram, in the address of which his name was rightly spelled, and which was rightly dispatched to him at Soussa, where he was in garrison. This telegram was signed *Blanche*, the Christian name of Mademoiselle de Comminges. The sender of it was, it is clear, cognisant of Picquart's inquiry into Esterhazy, for it referred to the *petit bleu* which had set him on his trail, but which was at that date only known outside the War Office to Leblois and Scheurer-Kestner. It ran thus:—

"They know that George is the author of the *petit bleu*. He must take precautions.—BLANCHE."

These two telegrams obviously proceeded from the same person, Du Paty de Clam, co-operating with Esterhazy. For it was he who on November 20, 1896, a year earlier, had written a letter, signing it *Speranza*, to Picquart at the War Office. This letter, the first of the series, had not been sent on to Picquart, who only saw it late in November 1897, when General de Pellieux, who was conducting the preliminary examination of Esterhazy, taxed him with it.

If there was ever any doubt that Esterhazy was partly responsible for these telegrams, it is removed by the fact that, in a series of three articles which he wrote in the *Libre Parole* and signed *Dixi*, on

November 15, 16, and 17, he alluded to them and to Picquart's having received them. Now, Picquart's letter to Billot complaining of these anonymous telegrams sent to him by some one inside the War Office, only left Tunis November 15, and reached Paris November 19. Therefore the only person in Paris who could write about them in Drumont's paper as early as November 15 must have been their author or his accomplice. Now it was Esterhazy who so wrote.

My reader must be impatient to know what was the purport of these puerile telegrams and tricks. They formed, in effect, part of a mass of silly machinations devised by the half-witted criminal Du Paty in order to ruin Picquart and shield Esterhazy.

In the first letter[1] signed *Speranza*, of November 20, 1896, *demi-dieu* (the sobriquet so stupidly picked out of the letter of Mademoiselle de Comminges' secretary), figured to Du Paty's diseased fancy the head of a "syndicate of treason" formed to rescue Dreyfus. Picquart accordingly was entreated to speak and divulge his discovery, in order that the *demi-dieu* might take action.

A year passes, and Scheurer-Kestner takes up the case from Leblois, and tells Billot about it, who repeats what he has been told to Du Paty. The latter promptly jumps to the conclusion that *demi-dieu* in the secretary's letter of November 20, 1896, had meant Scheurer-Kestner. Hence the

[1] See above p. 140.

telegrams now dispatched to Tunis, "Stop *demi-dieu*," that is to say, "Stop Scheurer-Kestner." In the last telegram, signed *Blanche*, the idiotic insinuation is conveyed that Picquart had forged the *petit bleu*.

It gives one a very poor idea of the wits of the trio of criminals, Esterhazy, Du Paty, and Henry, that they hoped by these puerile tricks to hoax and mystify Picquart, and somehow or other entangle him in the meshes of the false accusations prepared against him.

These accusations were as follows:—

I. That Picquart had himself forged the *petit bleu* in order to ruin Esterhazy.

II. That he had, before he left the *état major*, communicated Dreyfus' secret dossier to Leblois, who had handed it on to Scheurer-Kestner, who was consequently the *demi-dieu* alluded to in the *Speranza* forgery of November 20, 1896.

III. That Picquart had in 1896 stolen out of the secret dossier the "*canaille de D*" letter, and kept it by him until the autumn of 1897, when his mistress overheard him talking about it in his sleep, and vowing ruin on Esterhazy. Seized with remorse, and overcome with pity for the innocent Esterhazy, whom her lover sought to substitute for the traitor Dreyfus, Picquart's mistress had abstracted the secret document, and after writing to Esterhazy and appointing a trysting-place, gave it into his hands as a *document libérateur* or pledge that the War

Office would protect him from the machinations of the "syndicate of treason."

My reader will now see the drift of the question put to Picquart at Tunis, also of the statement in Esterhazy's letter to him, to the effect that he has in his possession one of the secret documents out of the dossier which Picquart had prepared against him.

It is now time to introduce an actor in this drama without whose evidence the outlines of this joint intrigue of Esterhazy and Du Paty could not have been so clearly drawn. This is Count Christian Esterhazy, a first cousin of the traitor.

This young man's father was a much respected citizen of Bordeaux, a gentleman of irreproachable life and a distinguished officer. He died in 1896.

Shortly after his death his son Christian, still a mere boy, who had inherited a slender fortune, received a letter from Walsin-Esterhazy, whom he had never seen but once. It began by explaining how cordial had been his relations with his father:—

"He was in reality my only relation, and we have for long, long years fought both of us, side by side, for the honour and in defence of the name we bear; a name which has—for, my poor child, I grieve to have to say it—caused us, and myself especially, who have lived more than your father in the Parisian world, many sorrows and many sufferings. Your father did what he could, and I have made great efforts to place you in a better position than we

ourselves began with; and I think that by many means, and by my marriage among others, we have greatly improved it. I have no son; therefore all that I do henceforth will be for you—you may count upon that. But be as your father was to me. Write to me often. I was in constant correspondence with him, and we always walked together in the closest union."

After this prelude, Walsin proceeds to examine his cousin's financial outlook:—

"The death of your poor father will have for you, from a worldly point of view, the most painful consequences."

"These," says Walsin, "must be remedied," and he accordingly begs his young cousin to keep the following "tip" strictly to himself:—

"I was, at the Bonaparte Lycée, the friend and playmate of Edmond de Rothschild, with whom I have always been on the best of terms. Some years ago, in connection with matters affecting the *Libre Parole* and the Jews, being very intimate with Drumont and Morès, I came forward as the second in a duel of Crémieu-Foa; and before the Court of Assize I made, as an expert in duelling matters, such a deposition regarding the duel of Captain Mayer and De Morès as was of real service to the Jews. Edmond de Rothschild was very grateful to me, and since that time has helped me most efficiently. This source of help I on three occasions enabled your father to avail himself of, and to any one but to him I have never even whispered a word

about it, *not even to my wife.* Now with all my heart I place at your disposal the advantages which my relation to Rothschild confers on me, only on one condition, that I may rely on your entire discretion."

He then examines the different investments open to his cousin, such as Priorities, Turkish customs, Ottoman Bank, Egyptian debt, and continues thus:—

"One must be a fool or a rogue to advise others to buy Turkish stock just now. You tell me about speculations which are coming off, or are about to come off. I should advise you never to speculate, for all speculations may turn out badly."

Then he propounds his own "tip":—

"I am just now, when I leave my country place, going to invest, through the kindness of my friend, a certain amount in an operation as safe as it is free from anxiety. It is he (*i.e.* De Rothschild) who is conducting it. I will tell him that I will increase my holding . . . and I guarantee you a minimum of 25 per cent. interest, payable monthly. I do not mean, of course, 25 per cent. per month, but a good 2 per cent. and a fraction over."

Christian Esterhazy and his poor widowed mother fell into the trap, and advanced 20,000 francs, and after that successive sums up to 38,500. On November 10, 1896, Walsin wrote to his cousin thus:—"My dear friend, I have been this very morning to the friend of my childhood—you can tell your mother his name, your father knew it—

and I told him I would put 5000 francs more into it. I found no difficulty in doing so, and the matter is settled."

My reader will like to hear the end of this amusing history, though it anticipates the main narrative.

In January 1898, Christian Esterhazy, who had meanwhile come to Paris, began to feel misgivings about his investments, although his cousin had paid him the instalments of interest, and he asked to be allowed to draw his capital out again. On January 26, 1898, Walsin answered him thus :—

"I cannot, in obedience to the express advice of Tézenas, Jeanmaire, and others, set foot in certain houses before the end of the trial. To do so would draw upon me the most ill-natured suspicions. I will do what you want as soon as it is all over. In any case, and until then, you need entertain no anxiety."

Tézenas and Jeanmaire were Esterhazy's counsel in his mock court-martial. His excuse, that he could not pay back his cousin's money because he would compromise himself by entering Rothschild's bank, is in his best style. So were the remarks which followed, intended to allay Christian's fears :—

"I am waiting impatiently for the end of the Zola trial—which is a great error—in order to know which side to take. If it turns out well, we have decided to claim 500,000 francs from Matthieu (*i.e.* Mathieu Dreyfus), 200,000 from Zola, 200,000 from the *Figaro*. If I only got a third of this it would

do very well, and we could seriously think of our plan of emigrating. In that case you would do well to learn some other language at once."

Christian's doubts were not allayed, and in another letter Esterhazy wrote :—

"I do not understand why you are so absurd. I am very busy with the Picquart business, with the actions for damages that I shall bring against Mathieu Dreyfus and the English (!) . . . It is not usual for people to withdraw at sight sums put out at interest."

All this is inimitable. The end of it was, that Christian Esterhazy and his mother went to Rothschild's bank in Paris and made inquiries. They learned at once that Commandant Esterhazy had never had any account there, still less deposited with them capital of any kind. They promptly brought an action for swindling and obtaining money under false pretences against the Commandant. The latter has indeed emigrated, and seems to have begun his actions against "the English." Whether we shall extradite him or not remains to be seen.

A youth of such engaging simplicity as his cousin was just what Walsin-Esterhazy in November 1897 stood in need of. Here was some one who would make a good go-between in the negotiations which pended between himself and the *état major*, which on its side appointed Du Paty to arrange with the traitor for his acquittal. It would compromise

them if Du Paty were seen negotiating in person direct with Walsin; but Christian Esterhazy was unknown in Paris.

The latter had gone there to see about his money; but Walsin had easily talked him over and allayed his fears. On November 17, 1897, he made up his mind to remain in Paris instead of going back to Bordeaux. On that day he repaired to his cousin's house in the Rue de la Bienfaisance, and was welcomed, as he says in his letters, like a son. He remained there five or six days. One morning the Commandant said to him, "You know of my relations with Madame Pays. I would like to introduce you to her." So they went to 49 Rue de Douai, the extra-conjugal establishment. The interview was simple and cordial, and they became friends. The conversation, at first trivial, soon took another turn, and they began to talk of Du Paty de Clam. Madame Pays related how many services she had rendered to the Colonel, and of how she saw him almost daily. She was, she said, the go-between of the Commandant and the Colonel; but she was afraid of being caught. Mathieu Dreyfus, Colonel Picquart, and the "syndicate of treason" had a clever police of their own, who marked her comings in and goings forth. The little cousin from Bordeaux must help her, and take her place sometimes, since her mission was to rescue his innocent cousin from the machinations set on foot against him. No one knew him, and he would not rouse the suspicions of the spies.

He could, therefore, wait, without attracting notice, in secluded places—at omnibus bureaux and elsewhere, to give and receive letters. Walsin also represented to him how the honour of the family was at stake; and Christian accepted the mission. That very day Du Paty had two interviews with him, the first merely to fix a rendezvous for the second. At 6 P.M., the hour fixed, Christian was there, and Du Paty expounded to him the plots of the "syndicate of treason." "The Commandant," said Du Paty, "has compromised himself, which is a pity for him, for his enemies exploit his acts of imprudence. They are powerful Jews, and that is why, in order to combat them, one must take precautions, and meet at rendezvous which elude their watchfulness. For the rest, one need have no apprehension as to the results of the duel between Esterhazy and the party of traitors."

"I gave him," says Christian, "the note confided to me by the Captain. The Colonel went and read it under a gas jet. Then he came back and gave me a closed note for my cousin. This first interview lasted about half-an-hour. . . . After that I saw Colonel Du Paty de Clam again nearly every evening, and these interviews only stopped when the court-martial began. At each interview there was an exchange of notes.

"Of my conversations with the Colonel I remember the following details. He assured me that General Billot and Méline, the premier, had at first been favourable to the cause of Dreyfus. They had,

however, changed their attitude, and were now resolved to oppose, tooth and nail, any revision of the trial of 1894.

"The most dangerous adversary, he said, was Lieutenant-Colonel Picquart. It was necessary to unmask him, to expose his suspicious conduct. But it was necessary to play a close game with him; and that was why he (Du Paty), Madame Pays, and Esterhazy had spread a net to catch him in the famous telegrams."

Count Christian then related the vexation of his cousin at the experts in his court-martial refusing to swear that his letters to Madame de Boulancy were not in his handwriting. In this matter the *état major* would not help him. "Then," he says, "I took to Du Paty this ultimatum: If the Commandant is not acquitted of all the charges, he will commit suicide; but before he does so he will publish all the little notes from Du Paty de Clam exchanged through me. Then the public will know all about the part Colonel Du Paty de Clam has played, and will have complete evidence to go upon."

"Colonel Du Paty turned pale with rage. 'This,' he cried, 'is a case of black-mail; and this is the way in which I am rewarded for having wished to protect Esterhazy against the dangers which threaten him! I shall fall a victim, I who am innocent, to my own good-nature! Well, I shall go straight to the Minister of War and to my superiors, and shall tell them in full all about my intercourse with Esterhazy.'

"We left one another," says Count Christian, "after those words, and I have not seen him since. My interview had lasted two hours."

In answer to a question as to what he knew about the false telegrams signed *Blanche* and *Speranza*, Christian Esterhazy had the following deposition to make before the Judge Bertulus, who was examining magistrate in the action for forgery brought early in this year by Picquart against Esterhazy, Madame Pays, and De Clam :—

"The Commandant has often talked about them to me, as also Du Paty. They told me they hoped to compromise Picquart and to startle him from his lair, and therefore concocted these subterfuges. Two telegrams were sent him at the advice of Du Paty. The first, signed *Speranza*, was dictated by the Colonel and written by Madame Pays, and taken to the post by Commandant Esterhazy. The same day, however, Du Paty told the latter that he feared the telegram already sent might miss its destination owing to the misspelling of the name Picquart as Piquart in the address, a mistake he had noticed too late when he looked in the army list. They had left out the *c*. It was necessary to go on with their plan, so they resolved to send a second telegram. Colonel Du Paty wrote or dictated this, I forget which. It was signed *Blanche*."

The story of the Veiled Lady, as also related by Count Christian, must be told in my next chapter. It is only important to add here that the facts of his intercourse with Du Paty, as above narrated by

Christian Esterhazy, have been endorsed by Commandant Esterhazy himself in a memorandum addressed to the Procureur-Général of the Court of Appeal, in which he tries to exculpate himself from the charge of swindling brought against him by his cousin. In this memorandum the Commandant dwells on the relations that were between himself and his young cousin in the following terms:—

"He arrived in Paris, and since Colonel Du Paty de Clam always said to me that in the *état major* they would prefer to have from time to time a second intermediary, so as to prevent Madame Pays from being caught, I welcomed him with joy."

This is ample confirmation of Christian Esterhazy's narrative, which he repeated on oath before the magistrate Bertulus, and proof positive that the *état major* was all along in collusion with Esterhazy, the accused of high treason, in order to secure his acquittal.

CHAPTER XI

THE APOTHEOSIS OF TREASON

We have seen that the press, and in particular an article by Clémenceau, obliged the War Office to recall Colonel Picquart in November 1897 to attend the Esterhazy court-martial. Before he arrived, however, General de Pellieux, who was conducting the preliminary inquiry, on the pretext of searching for contraband matches, broke into Picquart's rooms in Paris, and sacked them. On the other hand Esterhazy, the accused of high treason, was neither arrested nor his house searched—a singular contrast with the treatment meted out to Dreyfus in 1894. Thus left scot-free, Esterhazy lounged about the boulevards, sat in Drumont's editorial office, or arranged with Du Paty the protocols of his acquittal. The first question which Picquart asked when, on reaching Paris, he was brought *under surveillance* before De Pellieux, was why the latter did not arrest Esterhazy. "The witnesses against him," he said, "will not rise up out of the earth till he is locked up." At the Zola trial, when De Pellieux was asked why he had not at once searched Esterhazy's house, he replied with cynical effrontery that it was absolutely useless, because Picquart had done

it eight months before. We have seen that in the autumn of 1896 Esterhazy had been warned, and that Picquart's agent only entered his room, already to let, as any one else might have done.

Out of respect for the *chose jugée*, De Pellieux at first refused to admit the bordereau as evidence against Esterhazy, though it was just the charge of being its author made by Mathieu Dreyfus that had forced the *état major* to prosecute for high treason. "To do so," said De Pellieux in his deposition at the fourth audience of the Zola trial, "seemed to me tantamount to reopening the *affaire Dreyfus. If the bordereau were to be attributed to any one else, revision would be forced upon us.*" It is not surprising, under the circumstances, to learn from De Pellieux' depositions at the fifth audience of the Zola trial, that, when he did consent to admit it as evidence, he found himself "in presence of a veritable strike of experts," and that, in order to get any at all, he required a special mandate from the Ministry of Justice. De Pellieux in court ascribed this "strike of experts" to their general respect for the *chose jugée*. A draft letter of Esterhazy, however, seized by Judge Bertulus in his lodgings in July 1898, helps to explain the reluctance of experts to come forward. It was to have been addressed to De Pellieux, and dates from the period, November 1896, when that officer was arranging the preliminaries of his court-martial. It begins thus:—

"What am I to do next, since the experts refuse to come to such conclusions as you hoped for?"

We may infer that De Pellieux wanted them to find, as Bertillon had done in 1894, that the bordereau was in Dreyfus' handwriting, for the letter continues, though rather obscurely, thus:—

"Ought I, as Tézenas wished me to do from the very first, and as I have a right to do—ought I to ask for the *expertise* with the name of Dreyfus, and talk afresh of the *décalque?*"

Clearly Esterhazy, Tézenas, his counsel, and De Pellieux regarded experts in handwriting as men hired to say what they were wanted to say. But the new set of experts, though they were willing to allow that Dreyfus had in the bordereau traced Esterhazy's handwriting letter by letter, yet shrank from affirming the conclusions of Bertillon.

Esterhazy then proceeds to blame three experts, two of whom finally offered themselves, for their refusal to acquit him of writing the Uhlan letter to Madame de Boulancy:—

"How is it that neither Charavay nor Varinard, whom you know, have found in my favour as regards the Boulancy letter, manifestly falsified? Belhomme is an idiot; you have only to look at him."

However, Esterhazy still has some hope. The ingenious Bertillon, though he is not available any more for the bordereau, might yet help them in this fresh particular. Accordingly he writes—:

"Shall I get Bertillon to make a *contre-expertise* for the B. (*i.e.* Boulancy) letters? All these people mean to assassinate me. However, can they not prove to Ravary and the experts that I could not have written the very words of the chief letter to the woman Boulancy?"

Evidently the Uhlan letter was felt to be very compromising, and yet the experts stuck to it that it was his. The next paragraph is so loosely written that its meaning is not clear:—

"If the experts find that the writing (*i.e.* of the Uhlan letter) is mine, it is impossible for me, and in the interests of my defence, not to attempt to prove that it is Dreyfus that is author of the bordereau."

Evidently the person who wrote the above, and the person to whom he wrote, did not believe for a moment that Dreyfus wrote the bordereau:—

"Understand, therefore, that if you are really masters of the *instruction* and of the experts, I can but trust absolutely to you; but if you are not, then I shall be absolutely obliged to prove that the bordereau was traced by Dreyfus upon my writing."

His faith in De Pellieux' ability to pull him through is touching. That it was well grounded is proved by another draft of a letter found at the same time in Esterhazy's rooms, and as clearly as the other addressed to De Pellieux on January 18, the day after he had been acquitted "to order:"—

"My General,—I was just about to write to you to express to you ill enough—for I cannot find words to say what I feel—all my deep gratitude, all the infinite acknowledgment I have in my heart for you. If I have not succumbed in this monstrous campaign, it is to you, and to you alone, that I owe it. When I found this letter" . . .

Here the rough draft breaks off. Taken with the other letter, it amply proves that Esterhazy's acquittal was a "put up job," engineered mainly by General de Pellieux. Let us now return to this court-martial. It began January 10, 1898, and General de Luxer presided over it; the Commandant Ravary was *rapporteur*, and in that capacity laid a report before it embodying the results of his own and De Pellieux' preliminary inquiries. Maître Tézenas, assisted by Maître Jeanmaire, defended Esterhazy. M. Vallecalle, whom we met at Dreyfus' degradation, read out the accusation of high treason and betraying secrets to a foreign Power, couched in the same terms as the accusation against Dreyfus, and equally signed by General Saussier.

De Pellieux, I should add, had in his report declared in favour of a *non lieu*, that is, in favour of dropping the prosecution altogether; but it had been found possible to arrange an acquittal, and accordingly, to satisfy public opinion, it had been proceeded with. The court began by rejecting Madame Dreyfus' claim, urged by Maître Labori in a powerful speech, to be a party in the case, and

also a similar claim on the part of Mathieu Dreyfus. The court, it was ruled, had not to concern itself with the *affaire Dreyfus*, for that had been settled in a legal way by the former court-martial.

Having settled these preliminaries, the report of the Commandant Ravary was read, a document in every way the pendant of D'Ormescheville's act of accusation of Dreyfus. The prosecution was nominally of Esterhazy, but all his life and deeds were veiled in it by a benevolent sophistry, and Picquart was transformed into the real accused. In the Zola trial M. Ravary, convicted by Zola's counsel, Labori, of the grossest irregularities in his conduct of the preliminaries of Esterhazy's court-martial, defended himself by saying, "Military justice does not proceed like your justice."

No one who studies his *rapport* will deny the truth of his remark. French military justice is happily quite *sui generis*. It would be a calamity for any country whose justice, military or civil, at all resembled it. Let us now analyse Ravary's report :—

"The 15th November last, after a newspaper campaign as violent as it was regrettable, the Minister of War received a letter denouncing Commandant Walsin-Esterhazy."

Note that all the violence was on the part of the *Libre Parole*, *L'Intransigeant*, *Petit Journal*, and sundry other journals subsidised by the *état major*.

"After the inquiry had begun a new accusation was added, brought by Lieutenant-Colonel Picquart, summoned from Tunisia to give evidence at the instance of MM. Scheurer-Kestner and Mathieu Dreyfus."

Here is a candid admission that the *état major* desired to suffocate Picquart's evidence by detaining him in Tunisia, just as they are now (November 1898) keeping him *au secret* in prison on a false accusation that he may not give evidence before the Court of Cassation.

"This higher officer revealed the existence of a telegram-card received when he was attached to the Ministry, and which, *according to him*, demonstrated the guilt of Commandant Esterhazy."

On the contrary, Colonel Picquart has from the first insisted that the telegram-card was a mere clue which set him on the track of Esterhazy. It was, considering its provenance, suspicious only.

"We shall see further on of what this 'conclusive' piece consisted, and what degree of confidence it is capable of inspiring."

Here the keynote is sounded of all the War Office machinations against Picquart. He has lain in prison several months on the frivolous charge of having forged this telegram-card or *petit bleu*, except for the bringing of which to the Intelligence Department by Schwartzkoppen's porter in May

1896 he would never have had his attention drawn to Esterhazy.

"At length the inquiry, pursued with remarkable celerity and impartiality, resulted in the giving of that order to prosecute (*informer*) which the accused man Esterhazy demanded so energetically."

Ravary writes thus, although he knew that Esterhazy had meditated suicide, and then ran away from France at the mere rumour that Scheurer-Kestner knew the name of the author of the bordereau. So impartial had De Pellieux been in his "inquiry," that, although the authorship of the bordereau was the only offence alleged against Esterhazy, he yet left it out of account and pronounced for a *non lieu*, without even submitting it to experts, by way of testing Mathieu Dreyfus' allegation. This sounds incredible, but here is De Pellieux' deposition at the fifth audience of the Zola trial:—

"Labori: Yes or no. When General de Pellieux said 'There is no proof,' had the bordereau been laid before experts?

"De Pellieux: No.

"Labori: Thank you."

As to the evidence of M. Autant regarding Esterhazy's design in October 1897 to commit suicide, we can judge of how De Pellieux treated it from the following singular colloquy before the court-martial:—

"The Commissary of the Government said: You

GENERAL DE PELLIEUX.

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do not appear to me to be at all kindly disposed (*i.e.* to Esterhazy)?

"M. Autant: Is it to be ill-disposed to him to tell the truth? Am I not as worthy of credence as Madame (Pays)?

"The Commissary: I do not say that, but *I do not understand why you make such a deposition.*"

As to the evidence which Picquart had to give against the accused, we know how Ravary in his preliminary hearing of the witnesses took it; for Picquart has told us at the Zola trial, on February 11, 1898:—

"In the little preliminary investigations made by me (in 1896) I lit upon a certain number of grave matters. They received no attention (*i.e.* from Ravary and De Pellieux). All they said to me was this: 'But we know Esterhazy better than you do.' And in the report all my evidence is ignored."

Ravary next reviews in a perfunctory and ironical way the evidence of Mathieu Dreyfus and Picquart, insinuating wherever he can that it is false, as in the following passage:—

"With the assent of his chiefs, so he says, he procured the writing of Commandant Esterhazy, in order to officially compare it."

As if the letters of Gonse were not in existence to prove the truth of Picquart's allegation. And now we come to Esterhazy's defence of himself. It is a string of pearls:—

"Being called upon to answer the accusation levelled at him, Commandant Esterhazy began by explaining the circumstances under which he became aware of the machinations directed against him.

"In last October, when in the country, he received a letter signed *Speranza*, which gave him minute details about a plot against him which was instigated by a colonel named Piquart, and the name was written Piquart without a *c*."

My readers have already noticed (see p. 183) that this was Esterhazy's habitual misspelling of the name. Picquart had drawn the attention of De Pellieux to this coincidence, but he and Ravary deemed it beneath the dignity of military justice to take note of such a clue.

"Terrified by this grave communication, the Commandant went straight to Paris and immediately laid the matter before the Minister of War, to whom he addressed the letter put in."

The words "grave communication" are excellent to describe a missive written with the aid of Du Paty, and addressed to Esterhazy by himself. De Pellieux and Ravary both knew that the letter was one of "Esterhazy's to himself," for Picquart had proved it to them. We pass on:—

"A little time afterwards he got a telegram praying him to be at 11.30 P.M. behind the palisade of the Alexandre III. bridge, on the *Invalides* side

A person, it said, wished to give him very interesting information which concerned him.

"The Commandant went to the place mentioned, and found in a carriage a lady, who began by making him swear to respect her *incognito*. He pledged his honour; whereupon the unknown lady (*l'inconnue*), whom the press has designated the 'veiled lady,' detailed to him at great length the manœuvres of those whom she called 'the gang.'

"After that there followed three later interviews, all held under the same veil of discretion, sometimes behind the Church of the Sacré-Cœur, sometimes at Montsouris.

"In the course of the second visit, the unknown lady gave a sealed letter to her interlocutor, and said: 'Take the document contained in this envelope; it proves your innocence, and if the *torchon* burns, hesitate not to use it.'

"On the 14th November, the accused, being advised to that effect, did not hesitate to part with the *document libérateur* by sending it to the Minister of War, intrusting loyally to his chief the care of defending his threatened honour."

This is the place to add a later paragraph from Ravary's report, because it suggests the official account devised by Du Paty of his veiled lady, who was to be, as we saw above (p. 174), identified with Picquart's mistress. I need hardly assure my readers that these insinuations against Picquart's character are baseless. The paragraph is the following:—

"One evening (*i.e.* in 1896) Lieutenant-Colonel Henry, on his return to Paris, had entered M. Picquart's room rather suddenly. There he saw Maître Leblois . . . sitting close to the desk, and turning over and studying (*compulsant*) with Picquart the secret dossier. A photograph bearing the words, '*Cette canaille de D . . .*' had got out of the dossier, and was spread out on the desk.

"If one considers that this is the same document which was sent to the Minister of War by the accused, one is inevitably led to ask oneself, if the correlation which unites the two circumstances is not the result of their indiscretion?"

If one considers that it is the same document which Du Paty sent to the *Eclair* on September 14, 1896, after duly falsifying it, as an irrefutable proof of Dreyfus' guilt, one inevitably understands why he sent it to Esterhazy in November 1897 as a *document libérateur*, by way of assuring that criminal of what paternal solicitude on the part of the *état major* he was the object. Having executed this childish manœuvre, Du Paty's next step was to suggest to his superiors in the War Office that it was Picquart who had in October 1896 stolen this document out of Henry's secret dossier of Dreyfus, and that his mistress, out of pity for the innocent Esterhazy, had sent it to him. His superiors readily joined in this silly plot, and, as we saw above (p. 170), had telegraphed out to the authorities at Tunis to put the question to Picquart whether a woman had not stolen such a document from him. The name

Speranza had suggested itself to Du Paty because it was that of a circus girl with whom he had had an intrigue at Rouen.

Before the court-martial Esterhazy was questioned by General de Luxer about this veiled lady, and the romance would not be complete without giving some of his answers. Of course De Luxer was not so rude as to press him with any awkward questions about adventures so romantic; and indeed, had he wished to do so, General de Pellieux, who, as delegate of the Governor of Paris, sat just behind him and interfered as he liked,[1] though quite irregularly, in the trial, would not have allowed him to ask them.

Here are some of Esterhazy's replies :—

"Two days earlier I got a telegram fixing a rendezvous behind the *pont* Alexandre III., on the Square of the *Invalides*. I went, and found there the lady of whom they have talked so much, but whom I did not know. She was covered with a thick veil. I could not see her face, and at her request I gave my word of honour not to try to recognise her. . . .

"De Luxer: 'It is very singular that you had four rendezvous with the mysterious lady, and that you could not try to find out whence came the information she gave you.'

"Esterhazy: 'Her information was accurate; I had proof of that.'

"De Luxer: 'You did not try to find out what

[1] In the fourth audience of the Zola trial De Pellieux admitted this.

interest she had in discovering to you the manœuvres of your enemies?'

"Esterhazy: 'She seemed to be animated by an imperious need to defend an unfortunate man against false imputations.'

"De Luxer: 'Why not reproduce in full daylight these allegations? Why hide oneself, if one has anything to say in the interest of truth?'

"Esterhazy: 'I shall not even try henceforth to find out whence she derived her information, for I have sworn not to speculate about it.'"

Was ever such a comedy witnessed in any court of law since civilisation began as in this court-martial, which was presided over by General de Luxer, watched over by General de Pellieux, and in which six colonels and three majors were judges, while two majors more took part as the prosecutors? It was colossal. And now that my reader has watched the performance, as it were, from the public pit, I would beg him to follow me a moment behind the scenes, so that he may see the stage arrangements from the other side; and here once more Count Christian Esterhazy unlocks for us the green-room door.

"It was myself," avows Count Christian Esterhazy, "who wrote the letters of the veiled lady, in whom certain members of the *état major* believed or pretended to believe. It is I that fabricated, just as they were wanted, the two letters about a rendezvous, in which promise was made of a precious document

by means of which Commandant Esterhazy was to defy his enemies.

"The following were the circumstances under which I did it :—

"I was at the time in the Rue de Douai at Madame Pays' house. General de Pellieux was just then busy with his inquiry, and he had begged my cousin to send him the letters of the veiled lady. The commandant, who had made up this story to explain how he came by the secret document, answered M. de Pellieux that he would let him have them on the morrow, when he appeared before him. He wanted them himself at the time. The commandant thereupon told me to write out in printing letters a missive which he would dictate. He dictated me two such. The text of the second was nearly as follows:—'This evening, at six, Rue Saint-Eleuthère, at the corner of the old church of Mont Martre. Take care not to be followed.' The other was in the same terms, but appointing a rendezvous at the *pont* Alexandre III. These missives were meant for General de Pellieux' eye.

"Esterhazy showed them to the general, who recommended him to go to the rendezvous in the Rue Saint-Eleuthère. But Esterhazy got out of the muddle, which he had not foreseen, by persuading the general that it was a useless step to take, since, being dogged as he was by Mathieu Dreyfus' detectives, the 'veiled lady' would not venture to show herself."

"And what about the *document libérateur?*" was the next question put to Christian Esterhazy.

"Ah, that goes back a little earlier. I was not

yet in Paris at that time. It was the 14th November,[1] after making his deposition to the military council, that Commandant Esterhazy sent this document back to the Ministry of War. Du Paty de Clam had supplied him with it. I got my information about it from the commandant himself as follows:—

"'The colonel, so my cousin told me, fixed a rendezvous with Madame Pays and himself at the Invalides. The moment was come, so he judged, for arming him with this proof, which was to make his innocence clear to all.'

"Esterhazy, reassured as to the complicity of Du Paty de Clam, breathed afresh and plucked up courage. He wrote to various high personages in the army, asking for their protection, and sent a note to the President of the Republic beseeching him to help him.

"In due time Colonel Du Paty showed himself as good as his word. The interview took place in the evening, at a fairly late hour. The three people were there, and the colonel held out a sealed packet to Esterhazy. He told him what was in it, but

1 My reader will notice a discrepancy between Christian Esterhazy's date and the *lettre d'un diplomate* (see above, p. 24), which assigns October 16, 1897. In his communication to Count Casella, Colonel Panizzardi seems to put Esterhazy's visit, revolver in hand, to Schwartzkoppen at the earlier date, for he says, "Just imagine! When Esterhazy began to suspect that he would be caught, even before the denunciation of Mathieu Dreyfus, he dared to present himself before M. de Schwartzkoppen," &c. However, in his court-martial, Esterhazy swore that he returned the secret piece on November 14. He must, then, have had it in his possession for a month, and Christian Esterhazy errs in supposing that he received and returned it the same evening. Most probably his cousin did not relate the whole episode to him accurately.

forbade him to open it, and invited him to take it back at once to the Ministry of War.

"That is what Esterhazy did. He took farewell of the colonel and of Madame Pays, and went in a carriage to the Rue Saint-Dominique. It was too late. The door was shut, the concierge was gone to bed. The commandant threw the document into the letter-box of the Ministry, and it was given back to the officers the next morning. Then he went back to the Rue de Douai.

"The commandant did not know the exact text of this document, for at the interrogatory of General de Pellieux he could not say what was its opening sentence."

Such was Christian Esterhazy's deposition before M. Bertulus, whose duty it has been to sift the circumstances in the civil suit for forgery brought by Colonel Picquart against Esterhazy and his accomplices. It was not published until August 5, 1898, in the *Siècle*.

It only remains to give the text of the receipt for the *document libérateur* sent by the War Office to Esterhazy. The history of the pantomime would not be complete without it:—

"Commandant,—The Minister of War acknowledges to you the receipt of the document which you have returned to him November 14, a document which was given to you, so you say, by an unknown woman, and which must be, you add, the photograph of a document belonging to the Ministry of War."

This is from General Billot. Note how carefully he abstains from verifying Esterhazy's statement that it was only a copy, and not the original of a document so immeasurably private in character that it could only be shown by Mercier to Dreyfus' judges when secrecy within secrecy had been established. Du Paty chose this document rather than another, not because it really bore on Esterhazy's trial or in any way proved that he was not the author of the bordereau, but in order that Esterhazy might be able to say in case of need to Billot: "You must acquit me, for if you do not I will expose the secret evidence illegally used against Dreyfus by Mercier." Thus Esterhazy was induced and enabled by the *état major* to blackmail Billot and every succeeding Minister of War.

And now we must with regret take leave of the veiled lady and return to M. Ravary's text.

"On the next day but one after the return of the *document libérateur*, M. Mathieu Dreyfus published his letters of denunciation in certain journals, and it was only during the judicial inquiry that Commandant Esterhazy became aware of all the charges brought against him by his enemies.

"He repels them all with the greatest energy, and refutes them thus:—

"The bordereau laid to his charge is not his work; he had never seen it before it was shown him by the officer of judiciary police (*i.e.* De Pellieux).

"He admits that in the handwriting of this document there are to be met with words which so strikingly resemble his own writing that you would say it was traced. But the general effect is essentially different. His writing is very fanciful, and that explains how it is that in his handwriting the same letter is not uniformly shaped in the same way.

"Indeed, he adds, even if the identity were still greater, that would still prove nothing, and it is easy for him to prove that it was impossible for him to procure the documents enumerated."

The letter of Esterhazy to De Pellieux, of which the draft was given above (p. 187), proves that it was at Esterhazy's own suggestion that the experts Couard, Varinard, and Belhomme found that the bordereau was *traced* by Dreyfus from writing of Esterhazy's. In this way they satisfied the War Office men, who required a report to the effect that it was not the work of the real traitor; they also respected the *chose jugée*, and they went as near as they could to fulfilling the dictates of their own graphological art, which, now that specimens of Esterhazy's writing were in everybody's hands, made the finding of Bertillon absurd and impossible. However, Ravary would gladly forget the "striking resemblance" admitted by Esterhazy, and in adducing the report of the experts takes care to truncate it:—

"On November 26, 1897, the experts deposited

their finding in our hands. Their conclusions were the following :—

"The bordereau of which he is accused is not the work of the Commandant Walsin-Esterhazy. We affirm on our honour and conscience the present declaration.

"These conclusions, categorical as they are, peremptorily invalidate the accusation brought by M. Mathieu Dreyfus."

Esterhazy's assertion that his writing was fanciful, in the sense that he did not uniformly trace the same letters in the same way, was made in order to discount Mathieu Dreyfus' evidence that after November 10, 1896, he changed his handwriting, especially the capital letters M, N, A, which he thenceforth was careful to make in the German style.

Esterhazy's own lame account of the "striking resemblance" of the bordereau to his own writing was accepted by his judges no less than by the experts as the most natural thing in the world. It was in vain that Mathieu Dreyfus pointed out that his brother had never seen or had any of Esterhazy's handwriting; that the bordereau could not have been traced letter by letter, since it was written in a natural running and rapid hand, without any of the signs of halting and hesitation, without inequalities in the height of letters or other tell-tale characteristics of traced writing. In vain he pointed out that, if his brother had traced the other's handwriting, it

could only be in order that he might say when discovered, "It is not I that wrote this bordereau; it is the Commandant Esterhazy." In vain he brought five of the highest authorities in the world to testify that the bordereau was in Esterhazy's undisguised and natural writing. What did all that signify to the generals, and colonels, and majors who were the judges? Had they not been instructed not to trench on the Dreyfus verdict by the Commissary of the Government in these words?—

"I am here to speak in the name of the law. The court-martial has not to go back upon the case of the ex-Captain Dreyfus, who has been justly and legally condemned."

In short, the Dreyfus verdict was like a theological dogma, which, having been pronounced *ex cathedra* by an infallible Pope or Council, requires all subsequent criticism and history to be conformed to itself, instead of being made to conform itself to them. If Esterhazy had written the bordereau, then Dreyfus would be innocent. But Dreyfus was guilty, therefore Esterhazy could not have written it.

Du Paty de Clam had, indeed, made up one of his little romances to explain how Dreyfus might have procured specimens of Esterhazy's handwriting, and the traitor having been coached up in it deposed to it before the court-martial. The following was the tenor of this new romance, as related by Esterhazy in his court-martial:—

"My writing," he said, "has, I am sorry to say got into the hands of a great many members of the money-lending profession; what is more, I was a second in the Cremieu-Foa duel. . . . But that was not all. I remembered, when the bordereau was published by the *Matin*, that in February 1893 I received at Rouen, where I then was, a letter from an officer in the *état major*, in which he said that he was charged to write a monograph on the use of the light cavalry in the Crimean campaign, and that knowing my father had led a brigade at Eupatoria he asked me to send him the documents I might have bearing on that epoch. I wrote a little work of seven or eight pages *in folio*, and sent it to my correspondent, Captain Brault, Rue de Châteaudun.

"De Luxer: What number?

"Esterhazy: I forget."

Esterhazy then narrated to his judges how, as he had received no answer, he went to the *état major* to ask about the matter, and was told that Brault had left it, and was in garrison at Toulouse. He wrote to him there to ask if he had received the "little work," and got the reply that Brault knew nothing about it, nor had ever asked for the Eupatoria information. "None of my friends or acquaintances live in the Rue de Châteaudun," wrote Brault.

What was the purport of this string of lies? Simply this; M. Hadamard, the father of Madame Alfred Dreyfus, lived then as now at 52 Rue de Châteaudun, at which address we saw Esterhazy had just before sent him a threatening letter. Esterhazy

wished his judges to believe that Captain Dreyfus had written, under Brault's name, to him in 1893 merely in order to get hold of specimens of his handwriting. General de Luxer took care to bring this suggestion into prominence by asking the question:—

"This information (about Eupatoria) was asked for from you by a third person, who got you to address him 'Rue de Châteaudun.' That is it, is it not?"

Esterhazy answered: "Yes, my General."

The traitor got up an entire correspondence with Brault, who was naturally much mystified about it. The astonishing thing is that after taking so much trouble over the matter, Esterhazy gave himself away in one of his letters to Brault, written October 29, 1897; for he writes in it thus:—

"My dear Comrade,—Permit me to appeal to your recollections for some information of the greatest interest to me. In *February 1896*, I sent you at your own request a notice about the part played at Eupatoria by the Fourth Hussars." . . .

Now, Esterhazy should have written 1893; for any monograph of his sent as late as 1896 would not have served Dreyfus as a model from which to trace the bordereau; for at that date he was already in Guiana. Had Esterhazy's slip anything to do with the hypothesis of Bertillon, broached to Picquart in May 1896 (see above, p. 104), that the Jews

had then for a year past been trying to imitate the bordereau, and now had succeeded to the point of identity? However this may be, Du Paty's hand can be clearly traced in this pretty figment. For why should Dreyfus be made to choose the name of Brault as a pseudonym under which to mask his suggested attempt to get a specimen of Esterhazy's writing? In 1894 Dreyfus, asked by Du Paty if he knew any handwriting similar to that of the bordereau, mentioned Brault's. Specimens of Brault's writing were fetched, and Dreyfus at once declared that he had been mistaken. It was this incident of the Dreyfus trial, known to Du Paty in November 1897, but not to Esterhazy, which suggested the introduction of his name into this apocryph, which is very similar in character to the romance of the veiled lady.

The rest of the report of Ravary is occupied with the abominable charges against Colonel Picquart, in support of which, at the subsequent trial of Zola, the military witnesses one after another steeped themselves to the lips in perjury and lies, which yet, after all their efforts, crumbled, and failed to form a coherent system. This is the text:—

"There remains the accusation brought by Lieut.-Col. Picquart, and based on the telegram card.

"As regards Esterhazy, this accusation does not deserve to be taken seriously. Not only is the authenticity of this card far from being proved, but

the naïveté of its being addressed as it is gives the best measure of its value."

It is remarkable how critical these judges were of a document incriminating Esterhazy, at the same time that they gorged Henry's grotesque forgeries.

"Proceeding still further in his refutation, the accused alleges and affirms that the document is false, and that the accuser is the author of it."

Esterhazy could hardly assume any other position about the *petit bleu*, which started Picquart on his track; but who would have thought that the *état major* and three Ministers of War in succession would have seriously adopted Esterhazy's charge, and interned Picquart *au secret* for nearly four months, while they were forging evidence in support of it, and suborning witnesses against him? As if the moral murder of Dreyfus, and the acquittal "to order" of the real traitor were not guilt enough, they seem to revel in crime. Ravary continues:—

"Count Esterhazy protests with all his might against the unqualifiable methods pursued by Lieut.-Col. Picquart, who, without any mandate, and for long months, gave himself up to odious investigations into his private life, has cast suspicions on his honourable character, and has committed monstrous illegalities by violating his correspondence, and by venturing even to search his apartment during his absence."

All this is just as if a pickpocket, caught committing his peculiar crime, were to protest against the "unqualifiable" action of the policeman who arrests him. Ravary forgets that Picquart's house had been ransacked just before without any writ of high treason being out against him, and he equally ignores the fact that Picquart acted with the approval of his superiors, as Gonse's letters prove. We pass on to the last paragraph dealing with the bordereau :—

"The result of the inquiry (of De Pellieux about the bordereau) was far from being favourable to the accusation. Not only do the depositions of the witnesses present numerous contradictions with the statements of Picquart, but they reveal, moreover, deeds of extreme gravity committed by that officer in the conduct of his department.

"Thus, when he had been put in possession of the papers, among which must have been found the fragments of the telegram card, he kept them for more than a month before handing them on to Commandant Lauth, whose regular business it was to judge of the importance of papers brought from that particular quarter."

One wonders what Picquart was head of the bureau for, except to keep by him, if he thought it necessary, for a month fragments of such a paper, and to judge himself of its importance. However, at the Zola trial on February 8, 1898, Lauth contradicted the deposition he had made before De Pellieux, and

reduced the time during which Picquart kept the *petit bleu* after it was first brought to him to *six* or *eight* days.

"Later on, when the card had been reconstituted under his orders, Picquart invited Lauth to photograph it, expressly recommending him to efface in the negatives all traces of its being torn. This 'correction' of it would, said Picquart, enable him to give the document a greater look of authenticity, and to tell his chiefs, if need be, that he had intercepted it in the post."

We must infer that in the bureaux of the *état major*, if a spy's letter is brought torn up into tiny pieces, and doubt is cast on its authenticity by reason of its being so torn, the credit of the document will be restored by the effacing in a photograph made of it (not in the original, mark that!) the lines of tear, as if the "chiefs" could not demand to see the original itself. Ravary argues also as if the photographic copies themselves went through the post. In any case his accusation of Picquart does not presuppose much intelligence on the part of the chiefs. But the most crushing rejoinder to Lauth's charge was, that the bordereau itself, before Picquart joined the Intelligence Bureau, had been brought in in bits, gummed together and photographed, the photographs being so manipulated as to obliterate in them the lines of tear. The photographs so manipulated were the only copies of it shown to Gobert, Bertillon, and other experts, none

of whom were ever allowed to see the original. It was also a copy thus "corrected" that Du Paty communicated to the *Matin*. The force of sycophancy therefore could no further go than it does in the above paragraph, and in those of similar import which follow.

In the Zola trial, Lauth and the War Office archivist, Gribelin, went further, and pretended that Picquart had tried to get the latter to go to the post-office with the *petit bleu*, and to get a postage stamp affixed with a postmark on it of an earlier date. These witnesses swore: (1) that the *petit bleu* reached the *état major* in about sixty little bits, of which the biggest was no bigger than a third of an inch square; (2) that Lauth himself gummed it together with transparent slips of adhesive paper laid along and upon the lines of tear; (3) that Lauth placed these strips on the address side; (4) that Picquart, after the card had been thus reconstructed, asked Gribelin to get the post-office authorities to stamp and postmark it in the way described, that it might look as if it had gone through the post. Their joint perjury became manifest when Zola's counsel pointed out that by their own admission the stamp would have had to be affixed on top of and outside the strips of adhesive paper (!); that there would also have lacked in the stamp any lines of tear to correspond with those of the part of the letter-card on which it was superposed, the largest intact bit of the card being only

one third of the stamp in size; lastly, that Picquart had no interest to make out that it had gone through the post, for had it been intercepted at Esterhazy's house instead of on German territory, it would have roused no suspicion against him.

"In the course of the same interview Picquart asked Lauth if he would not be willing to certify that the writing of the telegram-card was that of a high foreign personage. This strange demand was received with lively protests by his subordinate."

In point of fact, Picquart has never declared that the *petit bleu* was in Schwartzkoppen's own handwriting. It merely was suspect to him by reason of its provenance. Had it come from anywhere save the German Embassy, he would have attached no value to it. Picquart also swore that he never made any such proposition to Lauth, who remained on terms of friendly intimacy with him for months afterwards.

"Every one in the bureau knew that by Picquart's orders the correspondence of Esterhazy had been for months long seized in the post."

Here again General Gonse's letters prove that Picquart had his full assent, if for a few weeks he intercepted Esterhazy's correspondence.

"They also knew equally well that he had employed an agent to ransack, without any legal mandate, the accused's house during his absence.

"At last, when his superiors, informed of these

disgraceful proceedings, and frightened at the scandal that might ensue, had advised him to put an end to them, Picquart allowed himself to be carried away by his feelings and exclaimed: 'Ah, they do not want to go forward up there, but I will make them.'"

Once more the above charge is refuted by Gonse's letters, and by the fact that Gonse continued to write to Picquart for some five months in the most affectionate way, which he could not have done if the above were true. What really happened has been related by Picquart. On September 3, 1896, he went and laid before Gonse the results of his inquiry into the Dreyfus-Esterhazy affair.

"The General," he says, "listened to my reasons without combating them, but only made a face and said: 'Then they must have made a mistake.' Then he enjoined me not to meddle with the matter. . . . On his return to Paris, September 15, 1898, he was still more emphatic, and I think I ought to write down the very words of the conversation which I had with him on the subject, and which will never be effaced from my memory:—

"The General: What does it matter to you, if this Jew is in the Ile du Diable?

"But if he is innocent?

"What! would you go back upon that trial? It would be an awful story. Generals Mercier and Saussier were involved in it.

"My General, he is innocent, and that is sufficient reason for going back upon it. But, from another

point of view, you know that the family is hard at work and looking everywhere for the true culprit. Supposing they find him, how will we look then?

"Oh, if you say nothing, no one will know anything about it.

"My General, what you say is abominable. I do not know what I shall do, but in any case I will not carry this secret with me into my tomb.

"And then I left the room hastily. From that moment I had made up my mind."

Let us return to Ravary's text:—

"The *information* (*i.e.* preliminary hearing) has revealed yet other special facts, which lead one to believe that Colonel Picquart may well have been the soul of the scandalous campaign which has just been got up, but in which he seems to have been clever enough to lie low himself, while he left others to deal the first blows.

"In the month of August 1896, taking advantage of the absence of Colonel Henry, M. Picquart had opened that officer's safe and took possession of a dossier in which were secret documents. During two months he kept it, although of custom he should have every evening put back important documents in their place."

We have already seen that Picquart was head of the bureau, and in authority over Henry. There was nothing but the dead hand of Sandherr to keep the particular safe shut. Then follow the paragraphs in Ravary's report already cited (p. 196), in which Picquart is accused of having, in the autumn

of 1896, shown to Leblois the secret dossier. This allegation rested on Henry's evidence. He swore over and over again that he saw Picquart and Leblois examining it together "in the course" of October 1896, not later, in Picquart's room at the War Office. But it was proved that Leblois that autumn was not in Paris until November 7. He also swore before Ravary that the piece "*cette canaille de D. . .*" had been taken out of the envelope and was spread on the desk before them. In the Zola trial he swore that it was not taken out, but that a corner only of the photograph of it protruded. Picquart denied the incident altogether; whereupon Henry, the forger, called him a liar publicly, and the presiding judge refused to intervene to protect the witness Picquart. Obviously Henry was perjuring himself throughout, and the entire story was fabricated by him and Du Paty by way of proving that Picquart had started Leblois and Scheurer-Kestner on their campaign nearly a year earlier than he did, and had revealed to the former the secret document. This, it was pretended, was a heinous misdemeanour for Picquart to commit; but when Du Paty de Clam was proved to have given the same document to Esterhazy, the War Office did not complain. Picquart, in fact, never committed any such indiscretion at all.

Ravary's report then blames Picquart for communicating Gonse's letters to Leblois, and it certainly has had awkward results for Gonse, since

they convict him of being a renegade from the truth. Then comes the final assault on Picquart :—

"Such is the *ensemble* of the facts revealed by the witnesses, formerly chiefs and official colleagues of Colonel Picquart. It seems so serious that, in spite of the authority which should attach to the word of honour of a higher officer, one does well to ask if it is possible to accord to the basis of his accusation, to the telegram-card, of which the origin is, to say the least, mysterious, authenticity enough to support a charge of high treason; the more so because the characteristic attempts made to impart to this document a character of *prima facie* genuineness prove to excess that it had none at all in itself. It is not our business to conduct the trial of Colonel Picquart. To the military authority will belong the duty of examining and appreciating his actions and of visiting upon them the consequences they merit."

The above reveals clearly the line towards Picquart which the *état major* had already resolved to pursue. They had arranged with Esterhazy that the officer whose merit it had been to detect his treason should be accused of having himself forged the *petit bleu* or telegram-card which led to the traitor's detection. This charge of forgery levelled at Picquart is the crowning infamy of the *état major*, and of the all too numerous French officers who passively endorse, where they do not applaud, every wicked, every cowardly act which wanton complicity in treason forces on their superiors.

This accusation rests on nothing but the evidence of Major Lauth and of Gribelin, which I have analysed, and on that of Henry, who swore that, although documents intercepted at a certain Embassy were always brought first to himself, the *petit bleu* had never been so brought to him. It is, therefore, mainly on the word of this perjured forger that Colonel Picquart has been kept in a dungeon for over four months. At the Zola trial, in order to rebut Henry's perjury, the defence demanded that the detective who intercepted the *petit bleu*, along with similar documents, should be produced and put in the box. The War Office, backed up by the judge, absolutely refused.

After this outburst against Picquart, Ravary proceeds to say a few unctuous words of Esterhazy's private life :—

"Certainly the private life of Commandant Esterhazy cannot be held up as a model before our young officers. But these errors, even the most reprehensible of them, furnish no ground for supposing that he could have been guilty of the greatest crime that a Frenchman could commit."

Not a word of the letters to Madame de Boulancy. Emphasis is laid, however, on the false testimonials to Esterhazy's character as an officer, which for the occasion and to order his superiors had produced. On this point I give M. Clémenceau's question to the traitor put at the Zola trial :—

"Commandant Esterhazy has indicated many times in the letters (to Madame de Boulancy)' which I have just had the honour to read to you' that he was *exasperated*, and that his exasperation explains his use of such strong terms. Is it not the case that he has always enjoyed the most excellent testimonials from his chiefs?"

Esterhazy refused to answer any questions asked by Zola's counsel, who continued:—

"Monsieur le President, will you permit me to read out these testimonials?

"This is the character assigned by the *chef de corps* to Esterhazy:—

"'One of the most distinguished of our higher officers and very capable. Does his duty with most absolute devotion. By virtue of his knowledge, his experience, his energy of character and the loftiness of his sentiments, he may aspire to reach the highest grades of the military hierarchy; must be promoted before his age becomes an obstacle.'"

This is laid on "pretty thick," and shows how the head of a French *corps d'armée* can lie "to order," when a traitor's character needs to be sheered up. The words "very capable" (*très capable*) remind one of Colonel von Schwartzkoppen's tribute to the character of his spy. For on January 1, 1898, Count Casella asked him this question:—

"Have you known Commandant Esterhazy? He has himself avowed his relations with you. Would

it be indiscreet to ask what is your personal opinion about him?"

"I think him capable of anything" (*capable de tout*), replied the Colonel.

Several other French testimonials were then recited by Maître Clémenceau, ending with the following note for the year 1896:—

"Conduct very good, morality excellent, character cool and energetic, excellent education, lively intelligence, safe judgment."

Except for the good conduct and excellent morality, one is inclined to allow to Esterhazy the other qualities here attributed to him. A swindler may well possess them; and Esterhazy's fellow-officers, so far as they have come in all this painful business under the eye of Europe, have done their best to verify his safe judgment of them as expressed in his letters to Madame de Boulancy. The next question put by Clémenceau was very apt:—

"M. le Président, will you ask the witness whether he was not somewhat taken by surprise at his court-martial when they read out to him these excellent testimonials?"

The reading of Ravary's report, which concluded in favour of a *non-lieu*—*i.e.* of there being no case to go before a court—was after all succeeded by the formal trial of Esterhazy. I have laid before my reader the more important episodes of it. The accused had been carefully coached up by his

accusers in the answers he must give to their questions; yet this did not save him from a few slips, passed over, of course, by the judges. I give an example.

The bordereau was written early in April 1894. Esterhazy, of course, knew its real date better than did his judges. But he also supposed, and wrongly, that it had been brought to the Intelligence Department immediately after he had written it; whereas it was, in fact, only given into the hands of Gonse by Henry at the end of September 1894. Now Esterhazy's line of defence was based on his mistaken supposition; for he tried to prove that he only acquired the items of information enumerated in the bordereau at dates later than the April of 1894,—later, that is, than the date at which he supposed the French authorities got hold of it; his argument being that he could not sell items to Schwartzkoppen three or four months before he procured them. I pick out of his cross-examination in the court-martial a single answer out of many illustrative of this flaw in the harmony which Du Paty had sought to pre-establish between the accused and his accusers:—

"M. Mathieu Dreyfus," argued Esterhazy, "maintains that the bordereau was written *in March or April* 1894. *Now it was only in the month of August* that I was at the firing-school (*école à feu*). I could not therefore have betrayed the document in question (viz., the note on the hydraulic brake).

"De Luxer asked: Yes, but could you not always ask artillery officers for information?

"Esterhazy: I was only at the manœuvres *in June*. How could I have given information about it *in April?*"

Questioned in a similar way about the other items of the bordereau, Esterhazy admitted that he had known them also or come by them in the year 1894, but in each case at dates later *than April*, the date at which he was conscious of having written the bordereau, and at which he therefore supposed that it had fallen into the hands of the authorities. Had he known that it only fell into their hands at the end of September 1894, he must have chosen quite another set of subterfuges. How much he had miscalculated in his court-martial was made clear at the Zola trial, at the eighth audience of which General de Pellieux said: "The bordereau *does not belong to the month of April;* I appeal to General Gonse." And the latter, thus appealed to, attested that the Ministry of War only received it *at the end of September* 1894. Had Esterhazy known as much as that, he would have sworn that he only came by his knowledge of its various items later than that date.

It illustrates the perfunctory character of Esterhazy's court-martial, and probably of French court-martials in general, that not one of his judges had the wit to ask him this question:—

How do you know that the bordereau was

written in April 1894? Why do you accept Mathieu Dreyfus' conjectural [1] date and make it the base of your defence? We know, on the contrary, that it belongs to the month of September, for at the end of that month, and not before, did the War Office, according to General Gonse, receive it from the agent who intercepted it.

Probably if they had noticed so obvious a flaw in his defence, they would not have been so rude as to ask him embarrassing questions about it. One would like to know what the bordereau was doing between early April and end of September 1894. Perhaps this is a secret which died with Colonel Henry.

By the time of the Zola trial the generals seem to have scented the flaw in Esterhazy's first line of defence. Colonel Picquart may have pointed it out in his evidence at the court-martial, so discreetly kept by the *huis clos* from the public gaze. However this may be, they then chose for him another line of defence. This was to argue that

[1] Mathieu Dreyfus in his evidence said: "The bordereau must have been written (*a dû être écrit*) in the spring of 1894, not far from the end of March. For had it been written much later, the betrayal of the project of a firing manual would have been without value. Its author says that he is just off to the manœuvres. Esterhazy took part in the spring manœuvres of 1894. There is then a perfect concordance." Thus Mathieu's only reason for dating the bordereau in April was that at that date Esterhazy was asking for certain information and doing certain things. Why did Esterhazy accept Mathieu's chronological conclusion, yet deny all Mathieu's premises? Obviously because, as author of the bordereau, he knew Mathieu's date to be the true one. Yet no one else knew it.

an officer in his position could under no circumstances have procured such information, nor have written such a bordereau. One after another they took their oaths to that. Yet Esterhazy a month before had admitted that he had possessed all the items of information, only contending that it was at a later date than the month of April, to which he said the bordereau belonged, that he had acquired them.

Here the profane naturally ask why—if in 1898 the Generals Gonse and De Boisdeffre were convinced that Esterhazy could not have written the bordereau —had they in 1896 supposed him to be its author, and under that supposition authorised Picquart to procure from Esterhazy's colonel specimens of his handwriting to be compared with the bordereau? Why up to the middle of September 1896 did they go on encouraging Picquart in his researches? If he could not under any circumstances have written it, why in 1896 did they entertain the hypothesis?

When Picquart entered the box as a witness, the Commissary of the Government at once demanded that the rest of Esterhazy's court-martial be heard *in camera*, and the court granted the demand. They had said all they could overtly to blacken his character, and had held him up as a forger. It did not suit their plans that the public should know what he had to say in defence of himself and to the discredit of Esterhazy.

The latter was triumphantly and unanimously

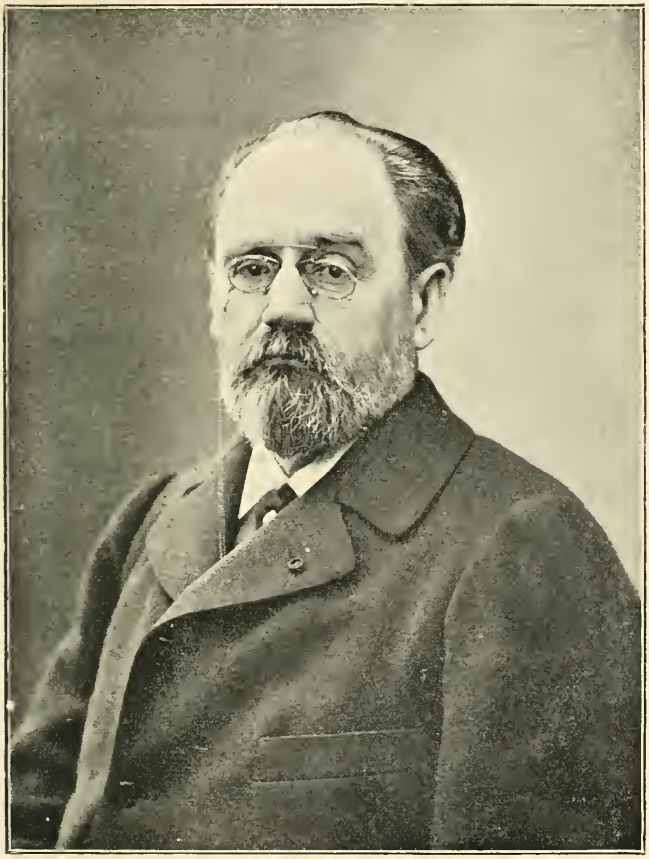
acquitted of high treason on January 11, 1898. He was the hero of the hour, and when he left the court "without a stain on his character," aged generals, their eyes filled with tears of joy, acclaimed him as the victim of the Jews. "Hats off, gentlemen," they said to the surging mob of anti-Semites, "Hats off, before the martyr of the Jews!" The streets rang with shouts of "Vive l'armée! Vive la France! Vive Esterhazy!" The cousin of the French pretender, the Prince Henri d'Orleans, rushed at the acquitted of treason, threw his arms round him, and embraced him warmly. General de Pellieux arranged with Esterhazy the exact wording of the paragraph in which the official news agency was to announce the circumstances of his acquittal, and on the morrow wrote to him a fresh letter beginning, "Mon cher Commandant," and authorising him to prosecute the journals which attributed the "Uhlan" letter to him, an authorisation of which, I hardly need say, Esterhazy has never availed himself.

On the same day Colonel Picquart was arrested by the military authorities, and thrown into a cell in the fortress of Mont Valérien.

CHAPTER XII

THE ZOLA TRIAL

The military party imagined that by their acquittal of Esterhazy, not indeed of the charge of writing the bordereau, but of treason, they had given the death-blow to the cause of revision. It had the opposite effect, for numbers of people were so shocked at the scandal that they now for the first time openly declared themselves in favour of a re-trial of Dreyfus. The people—and they are not too numerous in France—who form their own opinions, instead of taking them ready-made from their pet journals, and who reflect quietly instead of shouting, began to protest all over the country against the conspiracy formed to hide the truth. Among those who thus came forward and openly protested were ten members of the Institute, two professors of the Collège de France, ten members of the teaching staff of the Ecole Normale or of the Sorbonne, eight professors of the Faculty of Medicine—all these in Paris. Of the provincial faculties, twenty-two professors and sixty-seven *agrégés* or assistant professors in letters, science, and philosophy. Among those who signed their names to the protest were many who held their posts at the pleasure of the Government, and who,



EMILE ZOLA.

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therefore, risked losing their daily bread by their action.

It was then that Zola came forward, and in a letter to the *Aurore* newspaper, as bold as it was eloquent, spoke for all and to all. I had been no admirer of Zola in his earlier books. Though never prurient, like Paul Bourget's, his works are yet often marred by indecencies, and this fault prevents such a book as his "Germinal" from rising to the highest level of art ever touched by the novel. In his latest works, however, he had purged himself of earlier impurities, and in his three novels, "La Débâcle," "Lourdes," and "Rome," he lays his hand on the besetting vices, more especially on the superstition of his countrymen. As the author of these four works of extraordinary genius, he was well qualified to denounce to his countrymen in trumpet tones the mystery of iniquity being perpetrated in their midst by a band of military and Jesuit conspirators. Many not wholly unfriendly to the cause of right have blamed Zola for the excessive vigour of his denunciations. I think wrongly. The only hope for the cause was to bring the affair into a civil Court of Assize, to get the officers Gonse, Boisdeffre, and De Pellieux into the box and cross-examine them; above all, to provide Colonel Picquart with an opportunity of saying *urbi et orbi* what he knew. Madame Dreyfus had more than once appealed to the Keeper of the Seals to set the Supreme Court in motion, but her petitions were rejected

with contumely. Scheurer-Kestner, the last representative of Alsace-Lorraine before those provinces were torn from France, had appealed to Billot, trusting to his life-long acquaintance with him, and to the august position he enjoyed as vice-president of the Senate. He had reaped nothing but insult and injury by his pleadings for justice and truth. Zola was determined not to plead, but to wither with fierce denunciation the nest of criminals at the War Office. The time was past for gentler methods, and he penned that most terrible of all philippics, his letter beginning *J'accuse.* In this, after a long and masterly review of the entire case, Zola summed up his accusations as follows:—

"I accuse Lieutenant-Colonel Du Paty de Clam of having been the diabolical contriver of the judicial error, unconscious I would fain believe; and of having afterwards defended his nefarious work for three years by machinations as ridiculous as they are guilty.

"I accuse General Mercier of having made himself the accomplice, through his mere weakness of character, in one of the greatest iniquities of the century.

"I accuse General Billot of having had in his hands the certain proofs of Dreyfus' innocence and of having stifled them; of having incurred the guilt of a betrayal of humanity, of a betrayal of justice, in order to serve political ends and to save an *état major* that was compromised.

"I accuse Generals de Boisdeffre and Gonse of

having made themselves accomplices in the same crime—the one, no doubt, led on by clerical passion, the other perhaps by that *esprit de corps* which makes of the War Office bureaux an ark holy and not to be touched.

"I accuse General de Pellieux and Commandant Ravary of having turned their inquiry into a work of villainy, by which I mean that the inquiry was conducted with the most monstrous partiality; and that of this partiality the report of Ravary is an imperishable monument, brazen in its audacity.

"I accuse the three handwriting experts—MM. Belhomme, Varinard, and Couard—of having drawn up lying and fraudulent reports; unless, indeed, a medical examination shows them to be the victims of a diseased eyesight and judgment.

"I accuse the War Office of having carried on in the press, particularly in the *Éclair* and the *Echo de Paris*, an abominable campaign intended to lead astray opinion and hide its misdoings.

"Lastly, I accuse the first court-martial of having violated right by condemning an accused man on a document which was kept secret, and I accuse the second court-martial of having shielded this illegality 'to order,' committing in its turn the judicial crime of acquitting a man they knew to be guilty."

This letter was published on January 13, 1898, being addressed to the President of the Republic.

M. Méline, the Premier, in answer to a question in the Chamber of Deputies, hastened to declare that a prosecution of M. Emile Zola was already ordered. He had forgotten that his action exposed the *état*

major to cross-examination in the witness-box of a civil court, and also risked the virtual revision in that court by a civil jury of the sentence on Dreyfus. The action was, therefore, as Esterhazy says in his letter to his cousin (see above, p. 178), a great tactical error. However, the Government sought to diminish the risk by limiting the indictment to the following passage in Zola's letter:—

"A court-martial has just dared 'by order' to acquit an Esterhazy, in supreme and insolent defiance of all truth, of all justice. And it is finished. France has this blot on her scutcheon. History will record that it was under your presidency that such a social crime could be committed.

"They have given this iniquitous verdict, and it will for ever weigh upon our courts-martial, for ever from now tarnish all their decisions. The first court-martial may have been lacking in intelligence; the second has been forced into crime.

". . . I accuse the second court-martial of having shielded," &c.

The indictment of Zola was signed, not by the aggrieved members of Esterhazy's court-martial, but by the Minister of War, Billot. M. Delegorgue was the presiding judge, and, in spite of his ill-concealed determination to please the Government by stifling all evidence of a character to compromise the War Office, a great deal of light was shed on the affair, especially by the evidence of Colonel Picquart. He was the one witness who knew everything from

the underside, the single military witness, with the exception of Forzinetti, who was honest and zealous for right. Forzinetti, as I have said, had already been dismissed because of his revelations in the *Figaro;* and when the trial began on February 7, 1898, Picquart had already been arrested and arraigned upon the frivolous charge of having communicated to Leblois documents concerning the national defence; as if by any interpretation Gonse's letters could be so described. At the same time, to impose on public opinion, an inquiry had been opened at the War Office into the abstraction by the "veiled lady" of the secret document, and its transfer into Esterhazy's hands. Needless to say this second inquiry is not yet concluded. The court of inquiry had, of course, condemned Picquart *in camera,* but had left it to the Minister of War, Billot, to fix his penalty. Billot was adjourning his decision till when? Till the trial of Zola was over. For it was still hoped, though faintly, by his (Picquart's) superiors, that at the eleventh hour he would vote with them and perjure himself. Therefore the nature of his penalty was left undecided hanging over him. If he were honest, they were prepared to be severe; if he were willing to stifle his conscience like themselves, his penalty would be nominal, and he would be promoted. They hoped to intimidate him. They also reflected that by leaving him still in the army till the trial was over he, being an honourable man, unlike themselves

would not be able to say all he knew or would like to say, because he would feel himself bound by the professional secret. And this was actually so. For example, in his evidence on February 11, he was asked about one of the documents in Dreyfus' secret dossier, which really applied to Esterhazy, and answered thus:—

"*I would very much like to say something* on this point; but I consider that I cannot do so, unless I am freed from the obligation to professional secrecy by the Minister of War. If he will free me from it, I will speak; if he will not, I shall not."

The other military witnesses showed no such a sense of their responsibility. Whenever an opportunity offered of traducing Dreyfus or Picquart, they freely broke through all reserve in order to use it. On the other hand, whenever they were asked awkward questions, they parried them by invoking the professional secret. Even hint at the circumstances under which Dreyfus had been condemned they might not, but they might make any number of little speeches affirming their indestructible faith in his guilt.

Zola's advocates claimed to bring evidence to prove the whole of his letter *J'accuse*, on the ground of the connexity of its matter with the few clauses cited in the indictment. But the accusers argued that, as the Dreyfus case was a *chose jugée*, no evidence relating to it must be heard nor questions asked about it. This claim the presiding judge granted—though

it violated the legal rights of the defence—and enforced in the most one-sided way; for the military witnesses were allowed by him to break through the ruling at will, at the same time that he applied it to disallow any question of an import compromising to the *état major*. In one case a witness—General de Pellieux—even refused to answer a question because it referred to the *affaire Esterhazy*, and the judge allowed his objection. One supreme example from among many I must give in illustration of the partiality with which the judge interpreted the sanctity of the *chose jugée*. At one stage of the trial the prosecution was flagging. The ridiculous explanations offered by the official experts in favour of their various and contradictory reports about the bordereau, and in particular the antics of M. Bertillon, had amused the jury, but had not convinced them. On the other hand, the leading palæographers and judges of handwriting in France, M. Crépieux-Jamin, and MM. Meyer, Giry, Havet, all three members of the French Institute, had sworn that the handwriting was in their opinion Esterhazy's, and had adduced in proof of their convictions reasons more serious, if less sibylline, than M. Bertillon's. Then M. de Castro's recognition of the bordereau as Esterhazy's struck them as important. Over and above that, a procession of the noblest and most distinguished republicans in France—MM. Hubbard, De Pressensé, Ranc, Scheurer-Kestner, Thévenet, Jaurès, Trarieux, above all, the old man eloquent, Grimaux, the savant

—had passed before them, all appealing to them with the earnestness of profound conviction to do justice, and by their verdict make their light to shine before all men. The military faction felt that things were going ill with them, and that they would lose the verdict unless they could overawe the jury by some evidence extraordinary and irrefutable of Dreyfus' guilt. Then on February 16, General de Pellieux, who without any legal right had interfered throughout Esterhazy's trial whenever the argument strayed momentarily from the path of acquittal, stepped valiantly into the breach and demanded of the jury a vote of confidence in the *état major*.

"What would you have?" he cried. "What is to become of your army in the day of danger, which is nearer perhaps than you dream of? What would you have your unhappy soldiers do, led under fire by officers whom others have striven to discredit in their eyes? . . . It is to a mere butchery that they are leading your sons, gentlemen of the jury. But M. Zola will have gained a fresh battle, will write another *débâcle*, will carry the French language all over the universe, all over a Europe from which France in that day will have been struck out."

And then, as if he himself, and perhaps the *état major*, felt nervous about the result, and inclined to hedge, De Pellieux went on to say this:—

"Revision—I shall not be contradicted by my comrades—revision matters little to us; it is a

matter of indifference, of pure indifference. We would have been delighted for the court-martial of 1894 to have acquitted Dreyfus; for it would have proved that there was no traitor in the French army, and we mourn for that. But, gentlemen, what the court-martial of 1898 could not allow nor would allow, the gulf it would not cross, was this, that an innocent man should be substituted for Dreyfus, *guilty or not guilty*."

This outburst, perhaps honest, was felt to be indiscreet; for it admitted the possibility of Dreyfus being innocent, of revision. In the course of that night the War Office, if it had really wavered in face of the odds against them, plucked up fresh courage; and on De Pellieux was imposed the task of effacing the impression his words had made. Without any cause, unprovoked by anything in the arguments of the defence, De Pellieux came forward the next afternoon to the bar of the court, and, with the utmost gravity, as if overborne by his sense of responsibility, produced Henry's celebrated forgery, the letter supposed to have been written in November 1896 by one attaché to the other, mentioning Dreyfus by name. To emphasise its importance he added: "General de Boisdeffre will confirm my words. Let him be called! . . . Commandant Delcassé, go quick and fetch General de Boisdeffre! In a carriage! Quick!" General de Boisdeffre arrives breathless, but the court has risen; it is too late.

The judge, subsequently taxed on the point,

declared that General de Pellieux had taken him by surprise with his secret document. If so, why after a night's interval did he allow De Boisdeffre to step forward and endorse De Pellieux' revelation? He knew that De Boisdeffre had come to the bar to do so, and did not try to stop him. Then when Labori, Zola's counsel, demanded as of right to be allowed to cross-examine the two generals about the extraordinary secret document they had adduced against the unfortunate Dreyfus, the judge brusquely forbade him to put any questions. Never did a judge more cynically abuse his position.

And then, after being allowed to back up De Pellieux, De Boisdeffre, as if that were not enough, was allowed to clank his sword and overawe the jury thus:—

"And now, gentlemen, permit me in conclusion to say one thing. You are the jury; you are the nation. If the nation has no confidence in the chiefs of the army, in those who are responsible for the national defence, they are ready to leave to others this heavy task. You have only to speak. I shall not say another word."

And, having fired off this terrific threat of a general strike of the *état major* at the heads of the tinkers and tailors of the jury, the gorgeously-clad general officers theatrically quitted the scene. After that the jury could not waver; their verdict of guilty was torn from them at the point of the sword.

Among the military witnesses in this trial, Picquart enjoyed a splendid isolation. Assailed by them with the basest charges and calumnies, recklessly advanced, with never an attempt to substantiate them, he yet retained his self-control, unmoved by their noise and fury; always courteous towards his equals and respectful to his superiors. All that he could properly say he said with perfect simplicity and clearness, choosing his words with care, and sometimes pausing a moment for one which exactly fitted his conviction; no insinuations, no innuendoes, no rhetorical fireworks to dazzle the jury; above all, no ascription of bad faith to his fellow-officers, not even to the puffy, red-faced, vulgar forger, Henry, who was their guide and Coryphæus in malice and perjury. Where he thought he had no right to speak because of the tie of professional secrecy, he kept silent, even under the grossest provocation of his unscrupulous opponents. One recognised in him the ideal head of an army intelligence department—the mind slow to suspect, clear to unravel, just to condemn, swift to strike. All the insight, all the balance, all the "prudence" was there for which, before "the devil entered into him," General Gonse had nothing but encomiums. Some who marked the contrast between him and all the other officers, out of whom the truth had literally to be dragged, and who, judged by their manner, had everything to conceal, wondered how a man of Picquart's conscience and

intelligence had ever achieved such high promotion among them.

How penetrating, for example, was his detection, on February 18, of the Henry forgery, which the day before De Pellieux had brandished before the astonished jury:—

"There are," he said, "among the pieces (in the secret dossier of Dreyfus) some whose genuineness it would be well to verify. There is one in particular, which reached the Ministry at a well-determined moment—at the moment, namely, when the Commandant Esterhazy needed to be defended, when it had become necessary to prove that the author of the bordereau was another than he. Well, it came just at the right time, this new proof, as far as I can see. They have never shown it me, but they have talked to me about it; at the same time they would never tell me where it came from. However, I find that this document, if we regard the moment when it appeared, and, above all, the terms in which it is couched, and which are utterly improbable—well, this document may with good reason be put down as a forgery."

Maître Labori asked: "Is the piece alluded to by Colonel Picquart that which was talked about yesterday?"

Picquart answered: "Yes; it is the one of which General de Pellieux spoke. If he had not mentioned it yesterday, I should not have mentioned it to-day. It is a forgery."

However, this forgery carried conviction to the

minds of the jury, as it did subsequently to an assemblage of 570 French members of Parliament. May we not add, to the inhabitants of 36,000 communes, on whose walls it was placarded? Truly Picquart was like a sober man in the midst of a nation of drunkards.

He was conscious of the risk he ran in thus deferring to the dictates of his conscience rather than to the prejudices of his caste, to what the French call *esprit de corps*, a phrase of which the Anglo-Saxon tongue has not the equivalent. In words as impressive as they were impassioned, he acquainted the court with the perils which, for him, encompassed the path of honour and humanity:—

"You have seen here," he said, "men like Colonel Henry, Commandant Lauth, M. Gribelin, levelling at me the most abominable accusations. Well, gentlemen, do you know the reason of all this? You will understand it when I tell you that those who worked up a case which preceded this one, an affair closely bound up with Esterhazy's, were probably the very men who to-day stand before me. They are defending their work, that work which the lamented Colonel Sandherr in dying left as a legacy to the honour of the bureau.

"Well, as for myself, I thought otherwise. I had my doubts. I thought that one ought not to shut oneself up in a blind faith. So I investigated.

"For months now I have been subjected to every sort of outrage. At this moment the situation I am in is a terrible one. To-morrow I shall perhaps be

hounded out of the army, to which I have given twenty-five years of my life. I have lost my future, my very livelihood, and all for having done that which I believed to be, that which ought to have been, my duty."

And his forecast was not wrong. The moment the trial was over, General Billot decided on the sentence, which, with futile cowardice, and in the hope of terrorising his noble victim, he had kept open as long as it lasted—Picquart was expelled from the French army.

There remain three witnesses remarkable either for their depositions at the Zola trial or for the manner in which they made them.

The first of these was M. Casimir Périer, who was President of the Republic at the time of the Dreyfus court-martial. He succeeded the murdered Carnot, and, after a short term of office, resigned early in the spring of 1895, to be succeeded by M. Felix Faure. The reason of his abrupt resignation was known to be connected with the Dreyfus verdict; and it is credibly narrated that, when he learned subsequently to that officer's degradation that the sentence had been illegally arrived at by the use of secret evidence, he demanded to see that evidence. The Premier, Dupuy, brought him the D. . . . letter or letters, and he did not find them very convincing. "Who is D. . . . ?" he asked. "May it not as well stand for Dupuy or Delcassé as for Dreyfus?" However this be, he clearly, when he entered the

court, had something on his conscience which he would have liked to utter, but dared not. For when, after struggling through the crowd which pressed to see an ex-President give evidence, he emerged in the witness-box before M. Delegorgue, the latter said, "M. Casimir Périer, raise your right hand and take oath," he replied, "I cannot take oath to tell the whole truth, because I cannot tell it." And these words he repeated pointedly when Zola's counsel asked him about the use of secret evidence at Dreyfus' trial, and the judge brusquely disallowed the question. One cannot but feel that Casimir Périer acted rather ignobly. When he discovered, early in 1895, that a great illegality had been committed, why did he run away from the responsibility of rectifying it? Why resign his position, which surely gave him the means of putting pressure on his Ministers? He might, had he been a man of strong character, have saved his country from falling into the abyss. He is the "grand muet," the great dumb man of the Zola as of the Dreyfus trial.

All the female witnesses for the defence fell ill and sent doctors' certificates. The military ones, all except Picquart, refused at first to attend a civil court at all, on the ground either that they had taken part in the Dreyfus trial, or that the unhappy cause of the national defence was committed to their hands, and that they could not compromise the safety of France by

appearing. However, it soon dawned upon them that unless they presented themselves and overawed the jury, Zola would be triumphantly acquitted; and it was also a fresh opportunity of revealing to the public the low opinion which the corps of French higher officers had of the honest Colonel Picquart. Accordingly they came, and Colonel Du Paty de Clam among the first. With cadenced step this witness entered the court, honoured it with a military salute, made a half-turn towards the jury, saluted them in the same way, and then came stiffly to "attention" before the members of the bar. A titter ran round the court, amidst which Du Paty took the oath. He knew from the conclusions which Labori had had to formulate two days before in order to compel him to attend, that that counsel would interrogate him about the use to which he had put the letters of *another* Mademoiselle de Comminges, addressed to him in 1892. He had kept at least one of these letters, and, under compulsion of his superior officers, had restored it to her for a sum of 500 francs. I have shown how one of the letters, written by the secretary of Madlle. Blanche de Comminges, suggested the false telegrams and other ridiculous machinations of Du Paty, who, therefore, saw in "the youth" of her namesake a romantic excuse for holding his tongue before a French jury, and in his hurry to get the better of Maître Labori, gave himself away in exactly the

manner that any counsel would most desire. Here is the dialogue :—

"The Judge: What is your question, Maître Labori?

"Colonel Du Paty: Before any is asked, I must be allowed to say a few words.

"M. le President, I am called here to depose as to the *affaire Esterhazy*. I am ready to answer all questions except those which concern the professional secret.

"But I must, with the deepest sorrow, point out that they have touched in this place on questions affecting my private life. That does not afflict me personally, for I have always acted as a man of chivalry (*en galant homme*). I have the esteem of my chiefs. That is enough for me.

"But what I cannot allow is that they should have been allowed to assail the honour of a *young girl*, ever till now respected (*toujours respectée*).

"I ask the court, in the name of French honour, to spare me in this trial such questions as these. To all others I will reply."

After this singular outburst, therefore, of Du Paty's, Zola's counsel merely had to say quietly :—

"Mademoiselle Blanche de Comminges is a *young* girl *fifty-five* years of age. She is a friend of Colonel Picquart, and her name was used in the telegrams which Colonel Picquart regards as forgeries, and the author of which he is now prosecuting."

Solvuntur tabulæ risu. After this the witness

deemed it well to hold his tongue. Asked whether he had had a correspondence with one or two relatives of Mademoiselle de Comminges (who had insisted on his returning the letters he had stolen), he replied:—

"This is the point, M. le President, on which I ask to be allowed to keep silence. I can reveal nothing. It affects the honour of a family, the memory of one deceased. I will not do it.

"It is private ground, it is my domain, and no one has a right to trench upon it."

Of course the presiding judge refused to force the witness to answer.

"Here," said Maître Labori very justly, "is a trial at assize such as I never witnessed before. They use all means in it to prevent light being thrown on any single point."

"They are *your* witnesses," was the taunt with which the judge thought fit to reply.

"Pardon me," answered Labori, "they are simply witnesses in the case. M. Du Paty de Clam is called because we wished for a discussion both open and complete. And no matter what the question we ask, the witnesses, in default of one good reason for not answering, are allowed to give two bad ones. . . . First they invoke the professional secret. When that fails them they invoke the reason of State. And then, when they have neither professional secret nor secret of State nor *huis clos* (closed doors) to invoke, they invoke the 'private' secret."

In the case of Esterhazy himself, the judge allowed the self-imposed reticence of military witnesses to pass all bounds. As soon as he entered the witness-box he declaimed violently for a few minutes against the "wretch" Mathieu Dreyfus, who had denounced him as the author of the bordereau, and then he used these words :—

"I am ready to answer any question which it may please the court to address to me, and I am ready to answer all questions which the jurors like to put, for you, gentlemen, have an absolute right to ask me them. As for those people there, I shall not answer them" (*quant à ces gens-là, je ne leur réponds pas*).

Ces gens-là meant Maîtres Labori and Clémenceau, Zola's advocates. Having made his little speech, Esterhazy turned his back upon them, and with an affected nonchalance listened in silence to the series of scathing questions which the counsel addressed to him. The dreadful record of his falsehoods, his insults to the army whose uniform he wore, his forgeries, was unrolled in the form of questions, not one of which would the judge compel him to answer, nor force him even for a moment to relax his attitude of insolent defiance of the just rights of the defence. When at last Maître Clémenceau began to formulate his questions with regard to Esterhazy's intercourse with Schwartzkoppen, the judge utterly refused to put one of them.

"How is it," asked Clémenceau, "that one cannot speak in a court of justice of an action performed by a French officer?"

"Because," replied the judge, "there is something more important than that, the honour and security of the country."

Tumultuous applause from the scarlet-clad officers who thronged the court and its approaches greeted this interpretation from the bench of what the honour and security of France require. When it was over Clémenceau remarked:—

"Monsieur le President, I gather from your words that the honour of the country permits an officer to commit such deeds, but does not permit of their being mentioned."

MAÎTRE LABORI.

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CHAPTER XIII

THE REIGN OF TERROR

Zola was condemned. For days and days the military and clerical papers had put on their front sheets the names of the jurors with their addresses; had menaced them with a thousand terrors if they did not give such a verdict as the honour of the army and the security of France demanded. The anti-Semitic roughs of Drumont, and the leading Jesuit, the Père du Lac, were organised and ready to wreak vengeance on them if they did their duty. For the last six days of the trial the defendant and his counsel and supporters left the court at the peril of their lives. Men were knocked down and trampled upon in the precincts of the court simply for crying, "Vive la République." For that to the mind of the military Hotspurs was a seditious cry. Half-way through the trial one of the jurors fell ill from sheer fright and had to be replaced. What wonder if they found Zola guilty by a majority of seven to five, and if only half of them found in favour of there being extenuating circumstances. The prosecution argued that Zola was guilty, unless he could produce the actual written *order* in obedience

to which Esterhazy's judges had acquitted him. They gladly availed themselves of the sophistry, but one of the seven who condemned him confided the next day to an editor of the *Temps* that by his verdict he only meant that Zola had failed to produce the written order; that he found it difficult to screw himself up to such a barren verdict, because he could not forget all that he had heard on the larger issues; that he imagined and hoped that the revisionists would, now that the truth had been revealed, win their end by legal means.

But in the military journals, and even in the Chamber, the verdict, along with the savage penalty of a year's imprisonment, besides the fine, inflicted on Zola by the judge, Delegorgue, was acclaimed as a new and final consecration of the verdict of 1894. Méline, the Premier, and accomplice of Billot, declared from the tribune that he would, if any "bad" citizens dared to continue the agitation in favour of revision, set in motion the just laws provided to check such extravagances. And if just laws were not enough to restrain the attacks on the "honour" of the army and the sanctity of the *chose jugée*, why then, with the help of his reactionary majority, he would forge unjust laws to keep them quiet. There is no doubt that if the eyes of the politicians had not been fixed on the speedily approaching dissolution and general election, the Chamber would have passed a law making it penal to plead for Dreyfus either in a journal or in a public speech.

Méline's faithful majority voted amidst acclamations that his speech, in which he threatened the Dreyfusards with special legislation, should be placarded on the walls of all the communes in France. One member only of the Parliament, Maurice Lebon, had the courage to revolt; he threw up political life in disgust, and published the following letter to his electors:—

"My Dear Fellow-Citizens,—The moment is come for me to acquaint you with my intentions with regard to the elections which in a few weeks will take place.

"I have witnessed with sorrow the events which in the last few months have occurred. I blame all violations of the law, and I am of opinion that a great party like the Republican cannot with impunity suffer the higher principles of right and justice to be violated, and that by doing so it loses all *raison d'être*.

"I am in open disagreement on this point with my friends in the Government, in the Parliament, and in the press. I do not mean to make you judges of my differences with them, and it would not be straightforward for me to conceal the fact from you.

"I shall not, therefore, be a candidate at the next parliamentary election."

The elections came. M. Jaurès, the eloquent Socialist leader, and Monsieur Joseph Reinach, the friend and biographer of Gambetta, were well-nigh the only candidates who spoke to their constituents

of the great crimes which had been committed, and they both lost their seats in consequence. For five months after the condemnation of Zola it seemed as if the conscience of France were non-existent, or at least dormant. It was but a small minority of, for the most part, cultivated people that continued to think and write about it. And this minority had been fiercely attacked by M. Méline on February 24 in the Chamber, in the following words:—

"This must be put a stop to, in the interest even of those who have so recklessly kindled this flame. . . . And this, alas! is what this *élite intellectuelle* does not see, for it shuts its eyes and stops its ears. In the silence of their studies they seem to have no misgivings as to the violent passions that they are letting loose, pleasuring themselves by envenoming the wound that we are endeavouring so hard to cicatrise."

Nor were the politicians, by nature time-servers, the only men who were anxious to hush up and compromise with crime. In the very ranks of the "intellectuals" themselves were not a few who were mesmerised by such phrases as "the honour of the army, the security of the country, are at stake." Foremost among these was Brunetière, the editor of the *Revue des Deux Mondes*, who did not shrink from declaring his opinion that the agitation was the mere outcome of the wounded vanity of a few intellectuals (*la vanité exasperée de quelques*

intellectuels). He has made it his boast that he has not admitted in his journal any articles pleading for revision, but he has himself, in an article which appeared in March, entitled "*Après le procès*," offered incense to the *état major* in long dull paragraphs stuffed with cant and perfidy. In this article he declared that of all aristocracies, one of pure intelligence is least adapted to the needs of a modern republic. And it is a curious indication of the psychological results which the worship of force combined with senile distrust of the human reason may generate, that Brunetière, who was once a virile thinker, or at least on the way to become one, has lately proclaimed in a letter to the *Siècle* that he is no longer so sure as he used to be of the innocence of Jean Calas!

The Latin Church in France, as might be expected, staked its all upon the guilt of Dreyfus and the innocence of Esterhazy. Its leader inside the Chamber is the Count de Mun; outside, the Jesuit Père du Lac. From its bishops and priests it was vain to expect any pleadings for mercy and justice. With one accord the cry has gone up from them all over France, "Away with this man and release unto us Barabbas." The crimes of the *état major* are only to be paralleled in the early Italian republics; they transport us back into the moral atmosphere of the Borgias. But the French clergy have sprinkled upon them their holy water and given them their blessing. After all, is not Mother

Church in France an Italian product of the Borgian epoch? What else could we expect?

One of the most odious incidents of the Zola trial was the petty vengeance taken on his witnesses. Thus Grimaux, after Pasteur the most distinguished biologist in France, was deprived of the professorship he held in the military Ecole Polytechnique; and if other distinguished savants, like Gabriel Monod and Paul Meyer, were not treated similarly, it was only due to the fact that their hierarchical superiors, through whom alone the Government could proceed against them, were as keen Dreyfusards as themselves. Public servants, liable to be so treated, and two or three officers who expressed open sympathy with Zola, were ruthlessly cashiered. Even insurance offices and banks turned out clerks and managers who were known to be on the side of truth and justice. All observers saw how easy it would be in modern France for a reign of terror and proscription to be established.

Zola was not discouraged by the verdict, but appealed to the Cour de Cassation, or Supreme Court of Appeal. The grounds of appeal were many. Firstly, there was the fact that the French Government, in its hurry to put down Zola, had made Billot sign the indictment, instead of the officers of the court-martial, who alone were competent to sue in the case. This was a merely technical flaw; not so the other grounds, which exposed actual unfairness on the part of the judge.

For example, De Pellieux had been allowed to produce in evidence Henry's forgery, after the court had excluded such evidence by its ruling, and then the same ruling was put in force against Zola's counsel when they asked to be allowed to cross-examine on the evidence so irregularly adduced. Again, Madame Dreyfus and many others had not been allowed to say what they thought of Zola's good faith. Then there was a "connexity" between the actual words charged against Zola in the indictment and all the rest of his letter *J'accuse.* For example, he was sued for having said: "I accuse the second court-martial *of having shielded that illegality* (*i.e.* the Dreyfus verdict) *to order.*" This phrase could only be judicially discussed in connection with the phrase which preceded and explained it in Zola's letter, to wit, this: "I accuse the first court-martial of having violated the law by condemning an accused man on the evidence of a document kept secret, and I accuse the second," &c. The authority of the *chose jugée,* it was urged, did not preclude questions being asked in a subsequent trial relative to the manner in which and the evidence on which the judges in a former case had arrived at their verdict, supposing such questions were, in a subsequent trial, vital to the interests of the defence.

The Zola trial had bristled with illegalities and informalities. The Cour de Cassation selected the first I have mentioned as a valid ground for quashing

it, and held that General Billot, the Minister of War, had no *locus standi*. The indictment having been illegal and informal, all the subsequent proceedings and sentence were null and void.

M. Manau, however, the Procureur-Général, in laying the case before the Supreme Court, dwelt on the "scandalous scenes" which had disgraced M. Delegorgue's court. Then, after pointing out that his own court had solely to decide whether Zola's condemnation had been legal—not whether it was just or no—he continued in these memorable words:—

"If the law has been in any way violated, if the rights of the defence have not been respected, the verdict must be quashed, and then the *procès Zola* will begin afresh. God forbid, in case it does, that there should begin afresh with it all its scandals, its abominable scenes, unworthy of the France of the nineteenth century, and which are an outrage offered to the memory and the work of the illustrious forerunners of the great Revolution of 1789, and in particular of the great emancipator of human thought, of the apostle of tolerance. I have named Voltaire."

Lower down he glances at what is now about to occur eight months later, in these words:—

"It has been maintained that Dreyfus was condemned in consequence of the production of secret pieces of evidence, which, it is alleged, were unknown to the defence.

"If that were true, there can be no doubt that the decision of his court-martial would be pronounced radically null and void."

Then he remarks that the Minister of Justice can alone, under the French code, formally order the Procureur-Général of the Cour de Cassation to denounce to the criminal section thereof judicial acts, decrees, or judgments contrary to law; and he added:—

"Now in the present case no such order has been given to the Procureur-Général. No jurisdiction other than the Cour de Cassation can legally take cognisance of such an issue."

And it is well to cite the admirable words which M. Manau went on to address to his fellow-magistrates:—

"Under the reserves laid down by us with respect to the right to revision, the domain of which is wisely limited and regulated by law, is it not permitted to every one to have his own opinion and pronounce it, as much in regard to Dreyfus' guilt as to Esterhazy's innocence, and contrarily as much in regard to Esterhazy's guilt as to Dreyfus' innocence, without being exposed to insults, calumnies, and even to the most atrocious threats? What! in this country of France, so noble, so generous, is one not to be allowed to hold a different opinion to one's neighbour about matters which stir the public conscience to its depths, without being

subjected to insult, without being held up as a mercenary or as a traitor?"

So much for Drumont and his *confrérie*. M. Manau continued:—

"So it would seem that a long life of honour and probity is not to safeguard the noblest against scorn and insult, not even our Trarieux, our Scheurer-Kestners, our Rancs, nay, not even those whom they have called, with an irony which they imagine to be clever, 'the intellectuals,' and whom we call, we, the men of intelligence that are the honour of our land."

"We protest," continued M. Manau, "for our part, against such manners as these. And although their own consciences suffice to acquit them, we consider that the duty is imposed on us of addressing a testimony of our profound esteem to the honourable men who, merely because they have had to take part in the regrettable campaign at which we were present, have yet not ceased to deserve the respect of their friends and enemies. Let us bear in mind on this point that lesson of old-world wisdom, 'Non nostrum inter vos tantas componere lites!'

"And in raising these protests, we do not leave out of account MM. Zola and Perreux. We choose to see in them men who have only allowed themselves to be drawn on too far in the expression of their thoughts and wishes—men who have not understood that, though it was within their right to freely defend in the press, in petitions, or even in books, the grounds of their belief that a judicial

error, or even an unconscious illegality, had been committed, so following the example of most of those who hold the same belief; yet it was not within their right to accuse magistrates of having given a judgment by order. We, in short, see in them men whom the jury has declared guilty of the offence of defamation, and whom the court has punished.

"But we refuse to regard as mercenaries and traitors men whose whole lives long have been dignified by indefatigable hard work.

"One must be just to everybody."

It was on April 2, 1898, that the Zola trial was quashed, thus imposing on the military party the necessity of prosecuting Zola afresh, unless it wished to own itself beaten. The first trial had done them irretrievable damage, for it had enabled Colonel Picquart to go into the witness-box and unbare to all the world the iniquitous plot which had its centre in the War Office.

Now in that trial the defence had renounced, so satisfying the express wishes of Colonel Panizzardi, the depositions of Count Casella. This gentleman is an Italian, well known in Paris, where he was a teacher of fencing, as one of the best swordsmen in Europe. In his own country too he enjoys a considerable reputation, as having victoriously sustained the honour of the Italian army in a duel with the best swordsman that the French could find among themselves. A better man in one respect could not be found to draw the confidences of

Schwartzkoppen and Panizzardi, and communicate them to the Dreyfusard press; for French officers and journalists could obviously not insult with impunity one so handy with his rapier. In the middle of December, Casella went to Panizzardi and asked him point-blank if he had not in his possession French military documents sold by Esterhazy. Panizzardi answered that he had not, but said that his friend Schwartzkoppen had often expressed surprise that the Dreyfus family had not appealed to him to throw light on the matter; and, in the end, he suggested to Casella to go to Berlin and interview the ex-attaché there. Casella went on December 22, and, after being kept waiting some days while Schwartzkoppen was apparently obtaining his Emperor's leave to be interviewed, he gained his end, and obtained a declaration from Schwartzkoppen that Dreyfus had not been *his* spy, that the bordereau was not the work of Dreyfus, that he *knew* him to be innocent, but that he regarded Esterhazy as a man capable of anything. Asked further why his Government did not name the traitor, the German continued thus:—

"We cannot accuse, and the French Government cannot through diplomatic channels ask us if Esterhazy be guilty or not. We can only do what we have already done, without being asked to do it, namely, declare the truth, which is, that we never held any relations with the ex-captain. But if the French are determined, in spite of

everything, that Dreyfus shall be a traitor, we cannot help it. It is not our business."

Casella returned to Paris the bearer of a confidential letter from Schwartzkoppen to his Italian friend. This the latter partly read out loud for Casella to hear. The second or third sentence ran thus:—

"How can this rogue Esterhazy get out of this business? How can he go on living in France even if he is acquitted?"

On January 13, the day on which Zola's letter *J'accuse* appeared, Casella had another interview with the Italian attaché, and asked him point-blank whether Zola told the truth in it.

"Yes, Zola tells the truth," answered Panizzardi; and then he proceeded to relate to his interviewer the story of the panic-stricken Esterhazy's visit, revolver in hand, to Schwartzkoppen, already given in the *Lettre d'un Diplomate* (see above, p. 24).

This is the gist of the deposition which Casella had offered to make at the Zola trial. It was subsequently published on April 7, 1898, under his signature, in the *Siècle*. On April 16, the *Jour*, a War Office organ, declared that Colonel Panizzardi had denied to one of its own reporters the whole story of his interview with Casella, as told by the latter. The same evening Panizzardi wired to the *Siècle* from Berne that "he had refused to speak at all to the representative of the *Jour* about the conversations he had had with M. Casella;" and to

Casella he wired at the same time and to the same effect. Thus he practically acknowledged the accuracy of all that Casella had reported.

I have dwelt on this communication of Casella because of its intrinsic value, and because of the influence it had on the development of the Dreyfus case. On April 7, 1898, the officers who composed Esterhazy's court-martial were called together afresh at the Invalides to decide whether they would prosecute Zola anew; and it was an open secret that they were loath to do so, for fear of letting in further light upon the case. Judge Delegorgue had, in spite of his disjunctive talent, not succeeded in so enforcing the ruling of the court about the *chose jugée* as to prevent certain witnesses, notably Picquart, from speaking. It was felt, however, by the party of revision, that the only hope was to keep the matter before the public gaze and maintain a brisk agitation. Therefore, by way of goading the *état major* into a renewal of the contest, they arranged that the *Siècle* should publish Casella's revelations on the very morning on which the issue was to be decided. And they succeeded. The officers met at 9 A.M., and after being closeted together for three hours, came out heated, angry, and depressed, without having decided anything. Then at mid-day, it is related, General de Pellieux hurried up, the *Siècle* in his hand, and read it out loud to them. They were locked up again, and after three hours more of deliberation decided to prosecute afresh. Thus it

took six hours for them to make up their minds, and, except for the "draw," so skilfully arranged, they would no doubt have thought discretion the better part of valour. However, by way of limiting discussion in the new trial as much as possible, they selected not fifteen lines of Zola's letter, as before, on which to base their action for defamation, but three only, namely, the following:—

"A court-martial has just dared to acquit to order an Esterhazy, in supreme and insolent defiance of all justice, of all truth."

The accusation here levelled at the first court-martial of 1894 was far graver than that levelled at the second of 1898. Nevertheless, the Minister of War had not convoked the members of the first one and enjoined them to prosecute Zola. It was clear that the Government knew that about the conduct of the first court-martial which made them hesitate to let it be canvassed in a law court. It was also noticed that Zola and M. Perrenx of the *Aurore* were this time cited to appear before a jury at Versailles, and not at Paris. The Government was clearly afraid of another Paris jury, for the last had been far from unanimous. On the other hand, a Versailles jury could be relied upon to be less democratic in feeling, and to contain a sprinkling of retired officers.

The President of the Court of Assize, held at Versailles in Seine-et-Oise, was M. Périvier, and the new

trial opened on May 23, 1898. Zola's counsel, Maître Labori, began by taking exception to the competence of a Versailles court to take cognisance of an offence committed by a journal printed and published in Paris. On this point he appealed to the Cour de Cassation, and the trial had to be postponed until this demurrer could be decided upon. The Government prosecutor, or Procureur-Général, who appeared for the members of the second court-martial, used language in court, in addressing the defence, as virulent as it was undignified:—

"Ah! you ask for a Parisian jury? You are easy to please! But whatever the jury you ask for, you will everywhere find it the same; because, do you hear? the country has had enough of this scandalous agitation, which will bring no good to yourselves or to any one else. . . . Condemned by the jury of the Seine, fleeing from before the jury of Versailles, MM. Zola and Perrenx will not themselves be judged to-day, but their cause is judged."

Maître Labori was able to point out in reply that if the Cour de Cassation had not quashed the first trial on a technical flaw in procedure, they would anyhow have quashed it on account of the production as evidence by De Pellieux and Boisdeffre, with the judge's consent, of a secret and forged document inculpating Dreyfus by name, but about which, after it had been so produced, he, as Zola's counsel, had not been allowed to cross-examine

them. M. Périvier, however, cut short Labori with the graceful remark:—

"There is nothing above the law — nothing nothing, not even Zola. Make up your mind to that."

The demurrer was disallowed by the higher court on June 16, and therefore the trial opened once more on July 18 at Versailles. The great object of the defence was to spin out the matter and keep it as long as possible before the public, so they now raised two fresh demurrers. Firstly, they objected that the court-martial, as such, not being a civil personality holding property, could not sue. This plea was disallowed by the court. They next claimed, on the ground of the connexity of the three lines of Zola's letter selected in the indictment with the rest of his letter, to be allowed to prove the letter in its entirety. This plea was disallowed, whereupon the defendants left the court, leaving judgment to go by default. Zola then quitted his country, whither he can return any time within five years and demand a fresh trial. He felt, to use his own words, that "La vérité est en marche." He had done as much as he could for the present, and his country needed a little time to assimilate the evidence of Colonel Picquart and others, which his first trial had given to the world.

Once more at this trial the Procureur-Général, who is a Government officer, distinguished himself

by the violence of the language he addressed to the court which the defendants had just quitted:—

"M. Zola has defamed others, because he is gifted with immeasurable pride, because he fancies himself, as being the Messiah of the ideal, and as representing the genius of France, to have the power of driving deep into the rebellious conscience of the nation a distrust of the court-martial's verdict. He threatens, he has threatened. . . . There you have Zola's true motive—pride put at the service of hideous machinations. The country has already treated him once as he deserved. It must so treat him a second time, until he is definitely brought to justice. For France has been calumniated before Europe. They have dared to say that she was deaf to the voice of innocence and truth, that she had put herself outside the law of nations. They have vowed her to the worst catastrophes. They have dared to try to reopen in this country, so tolerant and so generous, the era of religious discords. They have dared to hint that the army is hostile to the Republic. These are things which must not go unpunished."

For the Uhlan Esterhazy those days at Versailles were red-letter ones. He had the satisfaction of knowing that the patriotic officer, who had been hounded out of an army of whose honour he, the traitor, was now acclaimed as the impersonation, was on those days hustled and insulted in the public streets. On May the 23rd Picquart was recognised at the railway station of Versailles.

He had been cited as a witness, and was there in performance of his duty. He would have been torn to pieces by the well-dressed gentry of Versailles had the police not protected him. That evening the Uhlan published the following letter addressed to Colonel Picquart in the favourite organ of the War Office, the *Jour* :—

"In consequence of your refusal to fight, dictated by nothing but the fear you had of a serious encounter, I have in vain looked for you for several days—you know it, and you have fled like the coward you are.

"When I found myself cited in the same case with yourself, I hoped at last to get hold of you.

"I came to-day to Versailles, I waited for you at the door of the court ; and every one knew what I had come there to do.

"Perhaps your cowardice will not go on for ever. If so, tell me where and on what day you will dare to meet me at last face to face, in order to receive the chastisement I have promised you.

"As for myself, I shall walk up and down for three days in succession, beginning from to-morrow at seven o'clock, the streets . . . and . . .

"COMMANDANT ESTERHAZY."

In those days this brave Uhlan was dreaming of a general massacre of the Jews who had given him money, just as formerly he had dreamed of a general massacre led by himself in Prussian uniform of the inhabitants of Paris. On the next day

the following dignified note from Colonel Picquart appeared in the press:—

"It is true that I received a letter in which M. Esterhazy pretends that he looked for me in vain at Versailles on May 23, and informs me that he will wait for me three days in succession in the Rue de Lisbonne and Rue de Naples, at 7 in the evening.

"I am astonished that M. Esterhazy did not meet me at Versailles when he was looking for me, for I went to that town very openly on the day of Zola's trial.

"As for the threats contained in his letter, I am quite resolved, in case I come to blows with him, to make full use of the right which every citizen has to defend himself as the law allows.

"But I shall not forget that it is my duty to respect Esterhazy's life. This man belongs to the justice of the land, and I should be to blame if I deprived that justice of him."

A few weeks later, Esterhazy, maddened with absinth, rushed out of a drinking-shop and attacked Picquart with a club from behind. He thought he had taken him off his guard; but that officer was too quick for him, and with a few well-aimed strokes of his cane sent Esterhazy head foremost into the gutter, into which his hat had preceded him.

CHAPTER XIV

HENRY THE FORGER

For a second time in the history of the Dreyfus case the impulse to an important development—it may be said to its final *dénouement*—was destined to arise out of an unimportant communication in the English press. As early as February 1898, I had begun to take an interest in the sombre drama which was unrolling itself in Paris, and in the last days of that month associated myself with a scheme just set on foot of publishing in the English press some facsimiles of secret military documents purchased by Von Schwartzkoppen from Esterhazy, and in the latter's handwriting. The project unhappily fell through at the last moment, because the conditions of secrecy, under which alone we could work, were menaced by the rashness of outsiders. However, in June I contributed, under the *sobriquet* of Huguenot, to the *National Review*, edited by Mr. Maxse, a sketch of the case as it presented itself to my mind, after a study of the shorthand report of the Zola trial, of the reports of D'Ormescheville and Ravary, reinforced by private information. This article came into

the hands of M. Joseph Reinach, who has already figured in my pages (above 161), and he translated the following paragraphs of it with comments in a leading article in the French *Siècle*, entitled, "The Teachings of History:"—

"The affection of the French for their army is as ardent and romantic as that of a woman for her lover. But what if by a sudden revelation it were brought home to the masses who now parade the streets, crying, '*Vive l'Armée! mort aux Juifs!*' that their confidence has been betrayed, that the swaggering officers whom they cheered so madly at the trial of M. Zola are the real traitors to France, and that Dreyfus is the victim of their base conspiracy? For the Emperor William holds in his hands a weapon with which, when the occasion arises, he can smite the entire *état major*, and destroy the confidence of the French people in their army for at least a generation. The series of secret documents sold by Esterhazy does not stop in October 1894, the date of Dreyfus' arrest, but extends on into the year 1896. It included many important documents of later origin than October 1894, all in the handwriting of the bordereau. Dreyfus cannot have written these, for he was already in prison. . . .

"Now the Emperor William, by communicating to the French or European press in facsimile any one of these documents of origin later than 1894, can, whenever he likes, tear across the web of lies with which the French War Office is now striving to hide its misdeeds. Perhaps the *dénoûement* will

come in this way; for the Emperor has, it appears, already authorised Schwarztkoppen, at the close of the last year, to communicate to Count Casella, for publication in the *Siècle*, on 8th April last, many hints of the truth. . . .

"How long will it be before William II. draws tight the noose into which all the leading French generals and colonels, and nearly all the leading politicians of every party, save the Socialists, have so obligingly adjusted their necks?"

In the next day's *Jour*, M. Castelin announced that he would interpellate the Government in reference to M. Reinach's article. This was the same deputy whose interpellation in November 1896 had already given rise to so momentous a turn of events. His fresh interpellation was to take effect in a yet more striking manner. But I must first relate what happened to M. Reinach, who was a captain in the territorial army of France, and over whom the Minister of War claimed a certain jurisdiction, though he had not been for many years in active service. The military party had long been watching for a chance to strike him, and his article in the *Siècle* seemed to their eyes a sufficiently good one. Castelin had given it by his threatened interpellation the requisite publicity. Accordingly they taxed him with having written himself my article in the *National Review*, with having spiced it with inaccuracies by way of making it appear to be the work of an English journalist, and with having then

translated it back into the *Siècle* with comments of his own, pretending that it represented English opinion. One of Billot's last actions, before he gave place to Cavaignac, was to cite Captain Reinach before a court-martial, which met at the École Militaire on June 24, 1898, the scene of Dreyfus' degradation in 1895. General Kirgener, Baron de Planta, Colonel Meneust, and three other officers composed it, and unanimously reported in favour of the expulsion from the army of Captain Reinach for "a grave offence against discipline." Thus you may not in France, even if you have passed out of active service ten years before, criticise the *état major*. Cavaignac, Billot's successor, of course confirmed the verdict.

Shortly before the court-martial a common friend urged me to write a formal letter to Joseph Reinach, which he could read out before his court-martial, declaring that I was the sole author of the article in the *National Review*, sundry paragraphs of which were cited verbally in the indictment drawn up by Billot against M. Reinach. I had wished to preserve my anonymity, but I could not refuse this request; and, as I had been so much honoured by a French Minister of War, I thought it was a good opportunity of emphasising the opinions expressed in my article; and accordingly I concluded my letter by reasserting the risk run by the *état major* of seeing reproduced in a foreign press copies of documents written by Esterhazy and sold to Schwartzkoppen. The sword

of Damocles, I said, still hangs over the head of the *état major.*

I had the satisfaction of seeing my letter reproduced *in extenso* in nearly two hundred daily French papers, and it had, I understand, much to do with the decline of Esterhazy's popularity. It is singular how the French will pay attention to the *ipse dixit* of an unknown Englishman, when they are deaf to their own greatest writers and leaders of thought.

It was curious to read the effusions of the military and religious papers which my letter evoked. Rochefort immediately transformed himself into a philologist, and discovered that I was a German-Jew who had "trucked" his real name of Kœnigsberg for that of Conybeare. My crowning offence in his eyes was to have edited the lives (*sic*) of the Therapeutæ of Philo *the Jew.* He clearly regards *Therapeutæ* as the Yiddish equivalent of Dreyfusard—not a bad equation.

The following paragraphs from the *Journal du Centre* of Chateauroux for June 28, 1898, present a fair specimen of the style of the French clerical press. The article was entitled "Immanent Justice," and began thus:—

"When Iscariot had taken the thirty pence, the price of the Just One's blood, he went and hung himself in a field, his belly burst asunder, and his bowels gushed forth upon the ground.

"It was the Immanent Justice of things which thus manifested itself. . . .

"Justice Immanent!

"And yesterday, Dreyfus, grandson of Judas, first cousin of Deutz, heir of Bazaine, after taking German marks in payment for the strips of flesh which he tore from off our country in order to sell, was seen condemned, degraded; button by button, galloon by galloon were torn from the noble uniform of the French officer. And now he is choking, the death-rattle in his throat, in a cage, too small to contain his offence, yet too large in proportion to the punishment his crime deserves.

"Justice Immanent!

"The Greeks called it *Ananké;* the Musulmans, Fate; Gambetta, Immanent Justice. The Christians proclaim therein the Finger of God. . . .

"To think that this monstrous Israelite should come forward and threaten the *état major* of the French army, which is made of the blood and bone of our country, threaten its members with revelations such that they all ought to flee and hide themselves like the most abject criminals!"

Then "the text in which once more the action of immanent justice reveals itself" is given. It is the verdict of the glorious five officers who deprived Joseph Reinach of his rank in the territorial army. The council of the Legion of Honour is then exhorted to deprive the Jew of his decoration; and Joseph Reinach, along with Zola and De Pressensé, have lost their badge of *honour,* which was left to Esterhazy as late as November 1898. The sacramental diatribe ended thus:—

PAUL CAVAIGNAC.

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"And for others also Immanent Justice lies in wait; for all the insulters of the army, for all the hirelings of the foreigner, for all the detractors of our military chiefs, for all who heap calumny on France, all the *rastas* Italian, German, and *English*, who, like accomplished traitors, enriching themselves off the largesses of our country, take shelter under our national flag, the better to be able, when the day and hour are announced, to betray it to the hereditary enemy.

"It is thine, O Immanent Justice, to overtake and punish them, that they may be spared the committing of fresh crimes, France the useless shedding of blood, the hearts of patriots new tortures, French mothers fresh tears!"

M. Castelin's long-threatened interpellation came on at last on July 7, 1898. By this time the elections were over, and of the newly-constituted Chamber M. Paul Deschanel was President in place of M. Brisson, who, by a shake of the political kaleidoscope, had succeeded to M. Méline. General Billot was also gone, and a civilian (M. Cavaignac, the historian of Prussia) had taken his place. This new Minister of War had as early as January 13, 1898, threatened to be the *enfant terrible* of the *état major*. In the debate which then took place both M. de Mun and M. Jaurès had spoken. The former had invited Billot to defend, for the fourth time in one year, the sanctity and fitness of the *chose jugée*. The latter had warned the Government that by shielding the illegalities committed they

were betraying the Republic to the generals. Then M. Godefroy Cavaignac rose, and undertook, as a "progressive Republican," to defend the army, which, he complained, it had so far been left to the Royalist Right to defend. He taxed the Government of M. Méline with their weakness and hesitation. They could, he declared, with a single word arrest, nay, prevent, the agitation. Why did they not produce the confession of guilt made by Dreyfus on the morning of his degradation? Why not publish the incriminating documents with which the *état major* had already supplied Billot? Méline, of course, answered, for he knew what he was about, that Cavaignac desired a revision of the Dreyfus sentence to be begun from the tribune. "The Government has refused," he said, "and will always refuse to take such action. If M. Cavaignac were in the Government, he would act as we do."

In the new Chamber assembled on July 7, 1898, no trace was left of the minority of 122 who on January 13 had voted for M. Jaurès' motion "condemning the feebleness shown by the civil power in the presence of a military oligarchy, and exhorting the Government to re-enter the path of Republican traditions." But M. Cavaignac, the darling of the army, was none the less under the obligation of producing before all those proofs of Dreyfus' guilt which in January he had in vain urged Billot to make public.

"What is the situation?" he began in tragic tones.

"The honest people who composed the court-martial judged according to their conscience and without passion."

Thus the *legality* of the Dreyfus verdict was ostentatiously thrown overboard. Presently he proceeded to allay the misgivings of the "Intellectuals," "of those who," he said, "represent a notable portion of French thought, and have it for their special mission to defend the intellectual and moral patrimony of France." And he gently reminded these "Intellectuals" that their "good faith," their *bonne foi*, might get them into trouble. "There is no denying," he said, "that just now national feeling has been so deeply provoked that it would even welcome repressive measures by way of assuring respect for the army."

However, M. Cavaignac did not desire that at present. He knew what the country expected of him—a declaration which would put an end to the agitation for revision. He would make the declaration, because he had an absolute certitude of Dreyfus' guilt.

But first he begged the Chamber not to connect what he had to say to them with what was said abroad. "We are," he said, amidst lively and unanimous applause, "masters in our own house, and will deal with our own affairs as we see fit." This, of course, was in answer to the repeated

official declarations of the German, Italian, and Austrian Governments that Dreyfus was innocent as far as they were concerned. "If," he went on, "we have to respect, in dealing with others, the obligations of international courtesy, it is also the duty of others to respect them in dealing with us."

All this was the prelude to the production of the two genuine letters of Panizzardi, which I have translated above on page 125, and of the one forged by Henry. "These pieces," he said, "admit of no doubt as to their genuineness, nor as to the identity of those who write them. This is so whether we consider their origin, or their number, or their appearance, or their marks of authenticity. . . . The two first are letters which passed between certain persons who have been talked about and a person designated by his initial, D."

The certain persons were, of course, Schwartzkoppen and Panizzardi. Cavaignac then appealed to Henry's forgery in proof of his conviction that in the first two letters D. meant Dreyfus; and he spoke of the third or forged letter as being itself "framed" in a long correspondence between the two attachés. Cavaignac ignored the letter with the postscript, "Cette canaille de D. . . . . devient trop exigeant," because Colonel Henry, in one of his numerous perjuries at the Zola trial,[1] had denied

[1] Procès Verbal, I. 375. Perhaps Henry was anxious to discount the communication in the *Eclair* of 1896.

that it formed part of, or had to do with, the Dreyfus dossier.

In conclusion he paraded the so-called confession of Dreyfus, namely, the words reported in the *Temps* of January 5, 1895, to have been used by him on the morning of his degradation to two officers who were guarding him. The words were these :—

"I am innocent. If I have given documents to the foreigners, it was only as a bait to tempt them into giving up more important ones. In three years the truth will be known, and the Minister of War himself will take up my cause."

This is the only contemporary record of this famous confession, which Lebrun-Renault, on January 6, after it appeared in the *Temps*, wrote down, not in the official book kept for such mementoes, but on a loose leaf of his pocket-book. "This leaf," said Cavaignac, "has always remained in his possession." Notwithstanding, in November 1897, Lebrun-Renault had to write it down afresh *from memory* only; but a Captain Attel heard it from him in a Paris brothel in January 1895, and he told it to Captain Anthoine, who repeated it to Commandant De Mitry, who repeated it to Billot and Cavaignac. "Now," said Cavaignac to the entranced French Parliament, "either human testimony has no longer any value, or it results from these decisive testimonies, agreeing one with the other an

anterior to all impressions since produced, that Dreyfus used the words, '*If I have given documents.*'"

Surely it also follows on the same testimony that Dreyfus said "I am innocent"—a queer confession of guilt. We may be sure that, if he ever tried to get whales for his sprats out of the Germans, he did so by order of his superiors. But, taking the evidence as it stands, it only proves that Dreyfus spoke hypothetically and said: "I am innocent (*i.e.* of the charge of giving away documents); but if I had given any, it would only have been in order to get better ones in return." The officer Lebrun-Renault has assured Forzinetti that Dreyfus *never* confessed his guilt to him, and he gave the same assurance to M. Casimir Périer and to M. Dupuy, who was French Premier in January 1895. If Dreyfus only used the words in question, this assurance was true. Those who discern in them a confession of guilt of course honour exceedingly Lebrun-Renault as the recipient thereof.

The French Chamber greeted M. Cavaignac's declarations with frenzied applause. MM. Drumont and Morinaud were the most demonstrative in an assembly which, as a whole, was carried away by enthusiasm for the *chose jugée*. M. Mirman, an ex-soldier, demanded that the speech which had buried the Dreyfus affair should be placarded on the walls of 36,000 communes at the public expense; and 572 deputies voted for the motion. Of the two

deputies who voted against it, M. Méline, who probably knew all about Colonel Henry, was one. M. Brisson, the new Premier, abstained.

In this crisis a few of the soberer papers, that had till now mostly ranged themselves against Dreyfus' cause, had a sort of shivering fit in spite of the general jubilation, notably the *Temps*, the *Rappel*, and the *Autorité* of M. Paul de Cassagnac. Had Cavaignac after all buried the affair? Were his documents above suspicion, notably the third one, in which Dreyfus was named? Was it not a moral miracle if Dreyfus, in view of his repeated protestations of innocence to Du Paty, to his court-martial, to his wife, to those present at his degradation, had after all really confessed his guilt? Until the War Office was desperately put to it, late in 1897, for proofs of Dreyfus' guilt, it had been common ground between both parties that Dreyfus had made no confession of guilt, and for nearly three years the military and clerical press had execrated him for making none.

The public perplexity was increased when, two days later, Picquart, in an open letter addressed to the Premier, M. Brisson, declared it to be his duty to inform him that he was in a position to prove, before any competent jurisdiction, that the two letters dated 1894 could not apply to Dreyfus, and that the one dated 1896 bore all the characteristics of a forgery.

On July 12, 1898, Maître Demange, Dreyfus'

counsel in 1894, followed up Picquart's letter with one of his own to the Keeper of the Seals, in which he declared that none of the documents read out by Cavaignac had been communicated to himself or to his client at the court-martial. He also sent with his letter a memorandum written on December 31, 1894, by Dreyfus, which probably contains the very words which, when he subsequently used them to Lebrun-Renault, the latter misheard, and transformed into the vaunted confession of guilt. These words I italicise:—

NOTE OF CAPTAIN DREYFUS.

"Commandant Du Paty de Clam came to-day, Monday, 31st December 1894, at 5.30 P.M., after the rejection of my appeal, to ask me, on the part of the Minister of War (Mercier), if I had not perhaps been the victim of my own imprudence, if I had not wished simply to *set a trap* . . . and then found myself drawn into and caught in the wheels.

"I answered that I had never had relations with any agent or attaché . . . that I had not given myself to any *decoying;* that *I was innocent.*

"He then told me, that as for himself, his conviction of my guilt was based, first on the examination of the writing of the incriminating document, and on the character of the pieces enumerated therein; next, on information which showed that the leakage of documents corresponded with my stay in the *état major;* lastly, that a secret agent had said that *a* Dreyfus was a spy . . . though

without affirming that this Dreyfus was an officer. I asked Du Paty to be confronted with this agent; he answered me that it was impossible. . . . In short, he said, you have been condemned because a certain clue indicated that the guilty party was an officer, and the letter seized came in time to confirm the clue. The guilty one was yourself.

"The Commandant added that since my arrest the leakage had dried up in the Ministry; that perhaps . . . had let the letter lie about on purpose to catch me, in order not to satisfy my requirements."

Who "let the letter (*i.e.* the bordereau) lie about," and what does the phrase mean? Surely that Henry received it in April from Schwartzkoppen's porter, and for reasons of his own kept it quiet till September, and then let his superiors think that it had only just come in to the bureau? If so, Du Paty also knew the real date of the bordereau. The note continues thus:—

"He then spoke of M. Bertillon's remarkable *expertise*, according to which I had traced my own writing along with my brother's, so as to be able, in case I were caught with the letter on me, to argue that a plot had been got up against me!!!

"Then he gave me to understand that my wife and my family were my accomplices—all the theory of Bertillon, in short. Just then, as I knew what I wished, and was resolved not to let him insult my family any more, I stopped him by saying, 'That is enough. I have but one word to say to

you. It is that I am innocent, and that your duty is to pursue your inquiries.'

"'If you are really innocent,' he then exclaimed, 'you undergo the most awful martyrdom of all the ages.' 'I am that martyr,' I replied, 'and I hope the future will show you that I am.' . . .

"After Commandant Du Paty went away, I wrote the following letter to the Minister of War:—

"'I have, by your orders, received the visit of Commandant Du Paty, to whom I declared once more that I was innocent, and that I had never even committed an imprudence.

"'I am condemned. I have no favour to ask.

"'But in the name of my honour, which I hope will one day be restored to me, it is my duty to entreat you to pursue your inquiries.

"'When I am gone, let them ever inquire. It is the only favour I beg of you.

(*Signed*) 'ALFRED DREYFUS.'"

By way of counteracting the effect of the placarding all over France of Cavaignac's speech, a committee was formed to placard up these letters of Picquart and Demange. The *Siècle* opened a subscription list in its columns, and within ten days nearly 22,000 francs were subscribed. Though in places the colporteurs of the *Petit Journal* were set on to tear down these placards, and though at Belfort and other garrison towns generals forbade their soldiers, assembled on parade, to read these "filthy placards dishonouring the army," they must have caused many to reflect, especially when

events took the startling turn which within a month they did.

Meanwhile the first consequence for Picquart was that he was arrested on July 13, 1898, on the charge of communicating to Leblois documents relating to the national defence, as if Gonse's letters would ever do to load guns with. This was the charge which had already merited to Picquart expulsion from the army. To sue him afresh for the same offence in a civil court, as Cavaignac now did, was illegal, and merely vindictive. The French bar, backsliding from its old tradition of opposing a barrier to tyranny, had already suspended Leblois for the imaginary offence of receiving Picquart's confidences as a friend without being professionally consulted by him! A similar action was the suspension in the course of the summer by M. Bourgeois, the new Minister of Public Instruction, of Dr. P. Stapfer, Dean of the Bordeaux University, for a public reference made on July 24, 1898, to the Dreyfus case at the funeral of M. Couat, rector of that university. It looked for a time as if, under the austere Republican premier, M. Brisson, a reign of proscription and suppression of honest opinion was to begin, unexampled since the early days of the third empire.

But on August 30, 1898, the blow fell on the *état major* which cool observers had anticipated. Colonel Henry, interrogated by the Minister of War, Cavaignac, after swearing some twelve times that

he had not, ended by admitting that he had, fabricated that famous letter between the two attachés, with which Generals de Pellieux and de Boisdeffre had wrung from the jury a verdict against Zola in February 1898, and Cavaignac an unanimous vote from the Chamber five months later. Henry was at once arrested and taken to a cell in Mont Valérien, where, after a long interview with an officer, whose name has not transpired, he was found the next afternoon dead, his throat cut from right to left and from left to right, the razor beside him.

An official *communiqué* of the French War Office was issued that evening declaring that the unhappy man had committed suicide. It also alleged that after he had made his great speech of July 7, 1898, and allowed it to be placarded in 36,000 communes, Cavaignac began to entertain suspicions about the forged letter, an officer on his staff, named General Roget, having noticed that the cross-ruling of its paper differed from that of the other two letters mentioning a *D.*, and which, as I have said, are in Panizzardi's handwriting. Their suspicions aroused, said the *communiqué*, they compared the papers of the respective letters against a strong light, and Cavaignac rapidly formed the conviction as early as the middle of August that Henry had forged. He waited two weeks longer before he took action. Another suspicious circumstance was that to the letter itself, which, as De Pellieux deposed at Zola's

trial, came to the Intelligence Department at the moment of Castelin's interpellation in November 1896, was affixed no note either saying what agent had brought it to the War Office, or giving the precise date at which it was brought.

These details were of course true, but why had not Cavaignac chosen to notice them earlier, when, on the morrow of his great speech, he received the demonstrations of Picquart and Trarieux, the ex-Minister of Justice, that it must be a forgery? For days before July the 7th he had let the military papers relate how he was studying the Dreyfus dossier night and day in order to understand and know it thoroughly. Why, moreover, should he now at the eleventh hour pitch upon Henry as the culprit, and show so clearly, as his published interrogatory of him proves, that he knew from some *a priori* source that Henry, and no one else, had forged it?

The shorthand report of the examination by Cavaignac of Henry, which preceded his arrest, was read out at the first session of the criminal chamber of the Cour de Cassation met to revise the Dreyfus verdict on October 27, 1898.

Lieut.-Col. Henry was introduced at 2.30 P.M. by General Gonse, under-chief of the *état major*. The Minister Cavaignac began by warning Henry that an examination of the two documents brought to the Intelligence Bureau—the one (*i.e.* Panizzardi's letter) in June 1894, the other October 31, 1896

(*i.e.* Henry's forgery)—proved that the one contained words belonging to the other, and reciprocally, and that they must therefore have been both of them seriously altered. He adjured Henry to say what he knew about these documents, and warned him that, in view of the material character of the facts, the absence of explanation of them would be as grave in its consequences to him as an insufficient explanation.

After this preamble the following interrogatory ensued:—

"Cavaignac: When and how did you reconstitute the piece of June 1894? When and how that of 1896?

"Henry: I received the first in June 1894. It was I that reconstituted it, as I did most of the pieces having the same origin, when they were written in French. I dated it to the time when I received it. As to the piece of 1896, I received it on the eve of All-Hallow's day, and I reconstituted it myself. I put the date on it myself.

"Cavaignac: Did you never ungum and then put together again the piece of 1894?

"Henry: No, never. Why should I have done so? It was a piece of no importance. It had been ranged with the dossier of 1894. I am quite sure I never ungummed it. What is more, I never ungum[1] pieces.

[1] Henry seems to speak with a sense that he had ungummed the *petit-bleu* reconstituted by Lauth in order to scratch out the address

"Cavaignac: Do you ever keep bits of paper without putting them together?

"Henry: Sometimes, for a certain time—time enough to make out a little what the papers are. But I do not remember having kept bits of paper unarranged for more than eight or ten days.

"Cavaignac: Did you have the piece of 1896 in your hands subsequently to your giving it to General Gonse?

"Henry: No, I did not.

"Cavaignac: How then do you explain the fact that the piece of 1894 has in it bits belonging to that of 1896 and *vice versa?*

"Henry: I cannot explain it, and it seems impossible that it should be so. In fact, the 1896 piece never left the hands of General Gonse. As for the 1894 piece, which, as you know, is in the archives, I looked it out some days after I sent the other to General Gonse. At the moment they did not know where it was, and I was set to look for it.

"Cavaignac: Was the date which the piece bore written on it, or on the register of it?

"Henry: There was no register of it, but a dossier (*i.e.* portfolio) in which bits of no importance were brought together.

"Cavaignac: What you say is impossible. There

on it: "Commandant Esterhazy," &c. He had then re-written the same address over the erasure, and put it together afresh, by way of suggesting that it had originally borne another address, but that Picquart had obliterated this, and written the address to Esterhazy, in order to incriminate the latter. This is the perfidious charge on which Picquart was arrested in September, and has been incarcerated ever since (November 15) in the Cherche-Midi prison.

is material proof that certain fragments have been interchanged. How do you explain that?

"Henry: How? Why, if it is the case, I must myself have intercalated one in the other. For all that, I could not say that I fabricated a piece which I did not! I should have had to fabricate the envelope as well. How could that be?

"Cavaignac: The fact of intercalation is certain.

"Henry: I put together the papers in the state in which I received them.

"Cavaignac: I may remind you that nothing is more serious for you than the absence of all explanation. Tell me what passed. What did you do?

"Henry: What would you have me say?

"Cavaignac: I want you to give me an explanation.

"Henry: I cannot. . . .

"Cavaignac: What did you do?

"Henry: I did not fabricate the papers.

"Cavaignac: Come, let us look. You put the fragments of one inside the other.

"Henry (after a moment's hesitation): Well, yes, because the two fitted together perfectly. What led me to do it was this. I received the first piece in June 1894, and I reconstituted it then. When the piece of 1896 came, there were some words in it which I did not altogether understand. So I cut out some portions of the first piece to put them into the second.

"Cavaignac: You forged the piece of 1896?

"Henry: No, I did not.

"Cavaignac: What did you do?

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"Henry: I added to the 1896 piece some words which were in the other. I arranged the phrases, 'Il faut pas que on sache jamais;' but the leading phrase was left untouched, and the name of Dreyfus was in it all right.

"Cavaignac: You are not telling me the truth.

"Henry: I am. It was only the phrases at the end that I arranged.

"Cavaignac: Was it not yourself that conceived the idea of arranging the phrases in such ways?

"Henry: No one ever spoke to me about it. I did it to make the document more cogent.

"Cavaignac: You are not telling me all. You forged the entire piece.

"Henry: I forged nothing. Dreyfus' name was there all right in the piece of 1896. I could not take it out of the piece of 1894, since it was not there. I had not three pieces to work with—never more than the two. I swear that that is how it was all done.

"Cavaignac: Your explanation is inconsistent with the facts themselves. Tell me all.

"Henry: I have told you all. I only added this one phrase.

"Cavaignac: Then this is your explanation: You forged the last phrase, 'Il faut pas que on sache jamais'?

"Henry: I cannot say that I made up the phrase. When I found the paper of 1896 I was very much stirred by it. There was on it, 'I have seen that a deputy is going to interpellate about Dreyfus.' Then, after a certain phrase I could not find the

sequel. I then got out of the 1894 piece some words which completed the sense.

"Cavaignac: It is not true; you forged the piece.

"Henry: I swear I did not. I added the phrase, but I did not forge the piece.

"Cavaignac: What you say is impossible; so own to the whole truth. . . .

"Cavaignac: You made up the second piece, taking your idea of it from the first.

"Henry: I swear I did not. The other pieces which we got at that time quite prove the authenticity of the next letter. 'It is a bother that we have not had the end of the letter of——' (Here the name of a foreign officer.)

"I swear that the beginning of the letter in blue chalk is quite authentic.

"Cavaignac: The beginning was invented as well. So tell the whole truth.

"Henry: No, I only put in the last phrase: 'Il faut pas.' . . . I wrote it without tracing it.

"Cavaignac: Come now, since the pieces speak for themselves, you had better confess. . . . What suggested it to you?

"Henry: My chiefs were very anxious, and I wanted to reassure them and restore tranquillity in their minds. I said to myself: Let us add a phrase. Supposing we went to war, situated as we are now!

"Cavaignac: That is the idea which led you to forge the letter?

"Henry: I did not forge it. How could I have imitated a signature like that? It was the

beginning of it which gave me the idea of adding the end.

"Cavaignac: 'Il faut pas que on sache jamais personne.' Is that your language?

"Henry: Yes, because I knew how he wrote.

"Cavaignac: You did not date in 1894 the piece which bore that date?

"Henry: Yes, I dated it in 1894. I do not think I dated it afterwards. I believed I had dated it in 1894, I think. I do not remember.

"Cavaignac: You were alone in doing that?

"Henry: Yes; Gribelin knew nothing about it.

"Cavaignac: No one knew it, no one at all?

"Henry: I did it in the interests of my country. I was wrong.

"Cavaignac: Now, tell the truth, the whole truth. Tell me what passed.

"Henry: I swear I had the beginning of it. I added the end to make it more cogent.

"Cavaignac: Was the 1896 piece signed?

"Henry: I do not think I made up the signature.

"Cavaignac: And the envelopes?

"Henry: I swear I did not make them up. How could I?

"Cavaignac: It is very unlikely that you added only the phrase at the end.

"Henry: I swear it. The beginning suggested it to me, and subsequently people were reassured."

There was here a pause, during which Henry retired. The Minister Cavaignac then recalled him, and continued his questions.

"Cavaignac: Let us see. One of the pieces has

cross-lines of pale violet, the other of bluish-grey, which shows that portions of it were regummed. But your explanation is impossible. The intercalations do not answer to what you say.

"Henry: What portions do you say were intercalated?

"Cavaignac: I do not wish you to ask me questions, but to answer mine. You forged the whole letter?

"Henry: I swear I did not. I must have had the names which are in that of 1896 to do so. Why should I have taken a fragment of the 1894 piece to insert it in the other?

"Cavaignac: You will not tell the truth?

"Henry: I can tell you nothing else. I cannot say that I wrote the whole of it. As to the first letter, I found it; the second I intercalated, and only added the end.

"Cavaignac: All you could have received was the heading and the signature.

"Henry: I received the first part.

"Cavaignac: You received nothing at all.

"Henry: I had the first part, the heading and the signature.

"Cavaignac: Impossible! You aggravate your situation by these concealments.

"Henry: I did what I did for the good of the country.

"Cavaignac: That is not what I asked. What you did was based on the documents themselves. Tell everything.

"Henry: I cannot say I did what I did not. When I got the first part . . .

"Cavaignac: Impossible! I tell you it is written on the piece. You had better tell all.

"Henry: Then you are convinced it is I.

"Cavaignac: Say what is the case. . . . So then, this is what happened: You received in 1896 an envelope with a letter inside it, a letter of no importance. You suppressed the letter and forged another instead of it.

"Henry: Yes."

In the course of the interview General Roget also elicited from Henry the statement that Colonel Sandherr had known Esterhazy in Tunisia. Henry also volunteered this statement:—

"It was to myself that the bordereau was brought, seized in 1894. It came in the ordinary way, along with documents of which you know, and of which the authenticity is undeniable. Every other version of the story is contrary to the truth, and materially impossible."

We may infer that the bordereau in 1894 was not really brought to Henry, but to some one else. If it had come first into his hands, he would, if it be true that he was Esterhazy's accomplice in treason, have probably destroyed it; and it is probable that he only did not so destroy it because some one else received it and invoiced it.

It is impossible to read the report furnished by the War Office of Cavaignac's interview with Henry on August 30 without feeling that he had positive information from some source or other that Henry

was the man. In a few days a semi-official paragraph in the Italian paper, the *Corriere di Napoli*, supplied the key. In this it was declared that Count Tornielli, in December 1897, warned M. Hanotaux that the *état major* had got hold of several forgeries, among others of the Henry document. I have already related how Lemercier-Picard had sold this secret to Schwartzkoppen. Tornielli gave his word of honour at the same time to Hanotaux that his attaché, Panizzardi, had had no relations with Dreyfus; and Hanotaux not only pledged his word that the document should not be produced as genuine, but instructed M. Méline, then Premier, Billot, and De Boisdeffre in that sense. When, on February 17, 1898, it was produced by De Pellieux, in order to get a verdict against Zola, Hanotaux demanded, but in vain, that the prosecution of Zola should be abandoned, General de Boisdeffre dismissed from the *état major*, and the Dreyfus case revised. Cavaignac had been duly informed of all these incidents; nevertheless, he could not resist, on July 7, 1898, the pleasure of repeating in the Chamber General de Pellieux' success in the Court of Assize; and accordingly paraded the forgery afresh in insolent defiance of Count Tornielli. This was insufferable, and without delay the Italian Government, backed by the German, gave the French the choice of either denouncing the forgery themselves or of having it exposed against them. The

French chose the former course. Cavaignac arrested Henry in the way described, extorted from him the admission; and, when he threatened to name his accomplices, they cut his throat. Those who in Paris are best qualified to know, assure me that Henry did *not* commit suicide. Nor do the miscreant's cries on the way to the cell, as officially reported by the French authorities themselves, encourage us to take any other view. They were these:—

"It is a shame! . . . What do they want of me then? . . . It is madness on their part. . . . My conscience reproaches me with nothing. . . . What I did I am ready to do again. . . . It was for the good of the country and of the army. I have always done my duty. . . . In all my life I never met with such a pack of wretches. . . . They are to blame for my misfortune. . . ."

These are the cries of a man who had forged "to order," and are in terrible agreement with the sinister hint which De Boisdeffre gave to Picquart on his appointment on July 1, 1895, to the Intelligence Department: "You must look after the *affaire Dreyfus*; there is not much in the dossier."[1] This was an invitation to forge in order to rivet the poor man's chains on him. In the Zola trial Henry said exactly what he said the day of his arrest, "We only did our duty as we understood

[1] "Occupez-vous de l'affaire Dreyfus; il n'y a pas grand' chose dans le dossier" (Procès Zola, twelfth audience).

it." We must not, therefore, attach too much weight to the declaration which De Boisdeffre, the friend of the Jesuit Père du Lac, made in his letter of resignation, that "his absolute confidence in Colonel Henry had led to his being deceived, and had caused him to declare genuine a document which was not so, and to present it as such to Cavaignac." It hardly admits of doubt that Henry had forged it "to order" for De Boisdeffre himself.

Perhaps it was the knowledge of this which has led the Royalist and Catholic press to take the line that Henry fell a martyr to the cause of duty and patriotism. Thus, in the *Gazette de France* of September 6th, M. Charles Maurras writes thus:—

"We wait for justice to pay to Henry the public honours he deserves. Meanwhile the French have vowed a home-worship (*culte domestique*) to this brave soldier, this heroic servant of the great interests of the State."

A few lines below Henry is called "a grand man of honour;" and, in agreement with M. Judet of the *Petit Journal*, his forgery is asserted to be, as it were, a bank-note with a credit value representing a bullion reserve of documents of absolute authenticity. Similarly M. Drumont has declared the forgery to be "the popular version of the genuine proofs of Dreyfus' guilt."

"Henry," continues M. Maurras, "divulged himself to none. . . . He readily consented to run the risk himself, but alone. In his self-imposed task of policing the relations of nations, *our energetic plebeian* could only have shocked the more delicate feelings of the high-bred *gentlemen* of the *état major* (? Du Paty de Clam). . . . Henry sacrificed himself, with death before his eyes, to the task of deceiving for the public good the chiefs he loved, and whose complete confidence he enjoyed, M. de Boisdeffre, M. Gonse, perhaps others as well. . . . It would have been hard for him in such a matter to have pushed further his intellectual and moral scruples."

This elegant Catholic thinker, having so clearly hinted that Henry had aristocratic accomplices, next turns upon the journalists who do not share his admiration for fraud and forgery. "They are," he says, "held back by the *scruples of our mischievous half-Protestant education*."

In such lines as the above, read with enthusiasm by the Catholic gentry of France in the year of our Lord 1898, we get a glimpse of the awful moral abyss into which confessional and Jesuit training has plunged thousands of French families.

We are not surprised after this to learn that in Paris there has been circulated during September an appeal for subscriptions for a Henry memorial. It is signed by M. Charles Leroux, 76 Rue Blanche,

and is endorsed by M. Renaudin, Mayor of Pogny, where Henry was born. The text of it is as follows:—

"*Colonel Henry's Devotion to his Country.*

"Public subscription for a monument to be raised to him.

"When an officer is reduced to committing a pretended forgery in order to restore peace to his country and rid it of a traitor, that soldier is to be mourned.

"If he pays for his attempt with his life, he is a martyr.

"If he voluntarily takes his life,

"HE IS A HERO."

We must suppose that he would become a saint in the eyes of high French Catholic society in case he had his throat cut for him. I think my reader will allow that the Jesuits have not changed much since Pascal addressed to them his "Provincial Letters."

It must be admitted, however, that the view that the arrest and confession of Henry was due to representations made by the Italian Government rests on imperfect evidence. It is probable that the revelations made by Esterhazy himself on August 26 and 27, 1898, at a court-martial before which he had been called to explain the intrigues he had conducted in conjunction with Du Paty at the time of his mock court-martial in January, may have

at least accelerated the dénoûement. M. Bertulus, the examining magistrate in the civil action for forgery, brought on July 25th by Picquart against Du Paty and Madame Pays, had unmasked these intrigues in his report; and, although the grand jury (*chambre des mises en accusation*) had tried to prevent the case from going for trial, yet the War Office was driven by the denunciations of Du Paty, repeated day after day in the *Siècle*, to take some action. M. Tézenas, Esterhazy's counsel in the court-martial of January, refused to defend him in that of August. He was aware of the collusion there had been in the last weeks of the year 1897 between the War Office and his client, and did not wish to compromise himself any further, even for the sake of Esterhazy. Thus abandoned, even by his own counsel, Esterhazy, on August 27, seems to have hit out wildly, and to have hinted at the part that Henry had played, though without confessing what is probably the full truth, that Henry was his accomplice in treason.

This in itself, however, would not explain the tragic end of Henry, for Gonse and De Boisdeffre, who employed him to forge, must have known long before most of what Esterhazy had to reveal. Some foreign influence must therefore have worked in order to force on the final exposure.

CHAPTER XV

REVISION AT LAST

The agitation caused in France by the confession and suicide, real or alleged, of Henry was enormous. It carried conviction to many who were wavering, and stirred the consciences of thousands of Republicans who hitherto had pretended to themselves that no responsibility lay on them. They had avoided the subject in addressing their constituencies before the general election, and very many of them had with complacent ferocity asked, what did the welfare of a single Jew matter? Some had even expressed regret that he had not died or been shot at the very first, and so got out of the way. The tragic death of Henry roused them out of their lethargy; and, in response to inquiries dispatched from Paris by the Premier, Brisson, a majority of them declared that they were at last in favour of revision.

It might have been expected that M. Cavaignac would also change his mind. But his moral temperament is that of certain third-rate theologians, who, having once expressed an opinion, however crude, make it a point of honour never to go back upon it. Accordingly Cavaignac declared himself

more convinced than ever of Dreyfus' guilt, more than ever opposed to revision; and argued that, as he had so frankly exposed the forged proof, he must surely be believed when he affirmed that more than enough remained in the secret dossier to convict Dreyfus. M. Brisson, however, and M. Sarrien, the Keeper of the Seals, had resolved to have revision, and for a few days it seemed an open question which party in the Cabinet should go. Ultimately, on September 5, 1898, M. Cavaignac resigned, and General Zurlinden, a Catholic and an Alsatian, succeeded him on September 6. Friends of justice hoped that, in view of his antecedents, this new Minister of War would at once set himself to liquidate the entire matter, but he was evidently appalled by the *débâcle* of the whole administration of the army which revision would entail, and, yielding to the sinister influences of those who surrounded him, set himself to oppose revision more vigorously than any of his predecessors. However, he was obliged to throw a sop to the wolves, and his first act was to dismiss from the army Du Paty de Clam, a partial act of justice, from which, by reason of his consanguinity with the offender, Cavaignac had shrunk. About the 9th of September, Esterhazy, who had been retired from the army along with Du Paty, slipped away from Paris, and is said to have crossed the Belgian frontier on foot. Thence he has come to London, where, according to Messrs. Lewis and

Lewis, he has confessed to three persons that he wrote the bordereau, and this confession is perhaps the *gros petard* or big bomb which he meant to reserve for his promised memoirs. It is doubtful whether he will respond to the invitation addressed to him by the Cour de Cassation to come forward and tell it the whole truth. M. Drumont and the Jesuits, who continue to subsidise him, will probably see that it is worth his while not to do so much as that. On September 17, 1898, the French Cabinet decided to send for consideration before a commission of six members of the Ministry of Justice Madame Dreyfus' petition for revision, which had already been addressed to M. Sarrien on September 5. Thereupon General Zurlinden resigned, protesting, of course, his belief in Dreyfus' guilt. M. Tillaye, Minister of Public Works, went with him, and the military and Jesuit sheets redoubled their vaticinations about the foreign perils which revision involved; as if France was mistress within her own house to do wrong, but not to do right. They argued that one Minister of War after another would not resign after looking at the *dossier secret* unless it contained irrefutable proofs of Dreyfus' treason with the Germans—proofs, moreover, of such a kind that war would ensue as the result of their publication. But all this was futile, and on September 26, 1898, the case was sent irrevocably to the Cour de Cassation to be dealt with.

M. Brisson and M. Sarrien, his Keeper of the Seals, had the good sense, when they had once decided on revision, to resort to Colonel Picquart for information. He still lay in the prison in which he had been locked up early in July, but access to him was not yet cut off by the military party, as it was a few days later; and he sent a full exposition in two letters of all he knew about the case, and this was read aloud by Conseiller Bard on October 28, 1898, in the first audience of the Cour de Cassation hearing the appeal. Colonel Picquart's letters are dated September 14 and 15, 1898, and in various ways supplement the account of my preceding pages. It is convenient here to supply these details, which I pick out in the order in which Picquart's letters contain them, adding in brackets the context of my book where they severally belong.

1. The documents enumerated in the bordereau are not those of which Dreyfus had particular knowledge at the time when it was written (cp. p. 52).

2. The writer of the bordereau uses these words: "Unless, indeed, you would like me to have it copied *in extenso*." Therefore he had secretaries. Now Esterhazy had secretaries, but not Dreyfus (cp. p. 52).

3. When they found nothing against Dreyfus except the bordereau, they hunted among the old papers of the Intelligence Bureau and formed a secret dossier to be laid privately before the judges. This dossier, formed by Henry, was in two parts.

The first, shown to the judges, contained four pieces along with a commentary on them drawn up according to Sandherr by Du Paty. The second part contained mere rubbish (cp. p. 81).

4. The four pieces (cp. pp. 83 foll.) shown to the judges were the following :—

(*a*.) A draft of a letter written by Schwartzkoppen,[1] probably to his superiors. He was accustomed to make such rough drafts, and then throw them in his waste-paper basket. It is not written in French, and belongs to the end of 1893 or 1894. Its sense is as follows :—

"Doubts . . . what to do? Let him show his officer's brevet. What has he to fear? What can he furnish? It is not worth while having to do with a mere regimental officer" (*officier de troupe*).

The obvious meaning of this, says Picquart, is, that the writer of this draft had received overtures from some one who said he was an officer in a regiment. Even if he be an officer, as he pretends, still he is not of much use to Schwartzkoppen, as he is not attached to the general staff. Du Paty's commentary, however, turns the sense upside down, for it runs thus :—"Schwartzkoppen does not care for a mere regimental officer, so he chooses one in the *état major*, and finds him in the Ministry." Such a commentary, remarked the judge (Bard) of the French

[1] Conseiller Bard used the letters A and B where I fill in from my own private knowledge the names of Schwartzkoppen and Panizzardi.

supreme court, indicates the perfidious spirit in which Du Paty went to work.

(*b.*) The drift of the second piece was this:—"I would like to have certain information about a matter of recruiting. I shall ask Davignon, but he will tell me nothing. So do ask your friend. But Davignon must not know of your doing so, for it must not be that they know that we are working together."

The above is in Panizzardi's handwriting, and the words in it, "Il ne faut pas que Davignon le sache, parce qu'il ne faut pas qu'on sache," were imitated in Henry's grotesque forgery. The matter about which Panizzardi wished to find out was so trivial, that Schwartzkoppen could learn it openly from any of his French officer friends at the weekly receptions which were held in the second bureau of the War Office, and at which foreign attachés publicly discussed such matters. The meaning is, that Davignon, who is Panizzardi's friend, cannot be relied on for information; but Schwartzkoppen has a friend, who will be good-natured enough to tell him. (In passing, I may note that Schwartzkoppen, who never shook hands with Esterhazy, alluded to him not as *mon ami*, but as *mon homme*. The use of the word *ami* indicates that it is not a spy that is referred to at all, but a respectable officer, like Panizzardi's own friend, Davignon.)

(*c.*) The third piece also was written by Panizzardi in 1894. It begins:—"I have seen that

canaille de D . . . He has given me for you twelve plans," &c. This was one of the two genuine letters of Panizzardi read out on July 7, 1898, in the French Chamber by Cavaignac; and Picquart pointed out that Dreyfus could not have gone to the first bureau, which he had quitted a year before, and have abstracted so large a bundle of maps, without their being at once missed and himself detected. On the other hand, they might have been abstracted from the Geographical Bureau.

(*d.*) The fourth piece is, said Judge Bard, so alien to the matter, that it is not worth reading Picquart's analysis of it. (This is probably the letter with the postscript "*Canaille de D. . . . devient trop exigeant.*")

5. (Cp. p. 85). It was the commentary of Du Paty de Clam which imposed on the good faith of the judges, who were wearied out by four days of the trial and by the confused discussions of the experts. They accepted the explanation which was given them, and were unable from their very straightforwardness to see a trap they did not suspect.

6. In the summer of 1896, Boisdeffre was opposed to revision and to the prosecution of Esterhazy, without appearing to be convinced of Dreyfus' guilt (cp. p. 106).

7. Billot for a time believed in Dreyfus' innocence, but was won over by Henry's forgery (cp. p. 107).

8. "During four months," says Picquart, "I had conducted my inquiry about Esterhazy without

anything occurring to trouble me. But from the day I sent my report to General de Boisdeffre, showing that Esterhazy was the author of the bordereau, there began against Dreyfus and myself a series of machinations of which I am still the victim at this moment (*i.e.* September 14, 1898), and of which the principal authors, if not instigators, have been recognised to be Du Paty de Clam and Henry; that is to say, the two men who are chiefly responsible for the *mise en scène* of the *affaire Dreyfus*" (cp. p. 111).

9. Colonel Sandherr and Henry availed themselves of their private acquaintance with at least two of Dreyfus' judges to assure them that they privately *knew* the accused to be guilty (cp. p. 78).

10. On September 5, 1896, a letter was addressed, signed "Veyler," to the Ministry of the Colonies for ex-Captain Dreyfus. Between the lines were written these compromising words in sympathetic ink: "We do not understand your communication at all. Say where the safes are which contain the . . ." The forgers of this letter employed M. Bertillon to photograph it on paper of the same water-mark, and were about to send on the facsimile to Dreyfus at the Devil's Island, to see how he took it. This idea of catching out Dreyfus on his island was Du Paty's, and "Veyler" was simply one of his many men of straw. "This little plot, as silly as it was diabolical, was," says Picquart, "the *fait grave* which I

mentioned to General Gonse in September 8, 1896" (cp. p. 108).

11. The article in the *Eclair* of September 15, 1896, was written by Du Paty de Clam, for it contains whole sentences word for word the same with conversations he had had with me (cp. p. 81).

12. It was the Minister of War, Mercier, who caused to be communicated to Dreyfus' judges the secret dossier, along with Du Paty's commentaries. "Any counsel," adds Picquart, "would have shown up this dossier in a moment." The fact of its being communicated was known at the time (December 1894) to Mercier, De Boisdeffre, and Du Paty; and, later on, when Picquart became head of the Intelligence Department, to Gonse, Sandherr, Henry, Gribelin the archivist, Vallecalle the clerk. All these spoke freely of it to Picquart. In 1896, when the latter showed it to Boisdeffre, he was at once asked, "Why has not this been burned? It was agreed that it should be" (cp. p. 81).

13. "When was the secret dossier shown to the judges? Assuredly when the hearing of the arguments on both sides was finished. For," adds Picquart, "I had to report to Mercier the general impression made on the judges, and I told him it was favourable to Dreyfus. Then, I said, was the time, if ever, to convince the judges by means of the secret dossier" (cp. p. 78).

The two letters of Picquart to M. Sarrien, from which I add these details, which supplement, but do not contradict, my narrative, were dated September 14 and 15. When he wrote them, Picquart was in prison awaiting the hearing of the civil prosecution brought against him and Leblois by Cavaignac in July 1898 for divulging Gonse's letters. That prosecution was Cavaignac's answer to Picquart's denunciation of Henry's forgery. Picquart had now repeated and aggravated his offence by his confidential *exposé* to Sarrien of what he knew about the Dreyfus case.

Therefore General Zurlinden, who, under pretence of being a revisionist, had entered Brisson's Ministry, decided to strike afresh the chief witness to the truth, and this time to strike in such a way that he should not be heard—I might say, heard of again. He resumed his post as military governor of Paris on September 20, and induced Chanoine, who had succeeded him as Minister of War, as Amurath an Amurath, to sign an order to prosecute Picquart for forgery of the *petit bleu*. This order Zurlinden had made out before he quitted the Ministry, and its aim was to take Picquart out of the hands of the civil authorities and immure him in a military prison *au secret*, so that he might not communicate any more with the outside world, not even with his counsel, Maître Labori. The trial of Picquart and Leblois was to have begun on September 20, 1898, when the two

defendants were brought into court. Then the military party struck their blow, really directed from his tomb by Henry, forger and fellow-traitor with Esterhazy. In the very court Zurlinden had his military police ready to arrest Picquart on the more serious offence of forgery, to take him to the Cherche-Midi, or military gaol. Zurlinden's demand having been opposed by his counsel, Maître Labori, Colonel Picquart himself asked the judge to be allowed to say a few words on the question whether he should be given up to the military authorities. He said:—

"I absolutely oppose my being surrendered. I submit my cause to your wisdom; but I have something further to say. It is only here, and a few minutes ago, that I learned the reality of the abominable plot, in which this morning I still could not believe.

"It is the charge of forgery in regard to the *petit bleu*. You would have understood the matter more plainly if this trial had taken place, for it would have enlightened you with regard to the good faith of my accusers.

"I shall perhaps this evening go to the Cherche-Midi; and now is probably the last time, prior to the secret trial, that I can say a word in public. I would have people know, if there be found in my cell the rope of Lemercier-Picard or the razor of Henry, that I have been assassinated. For a man like myself cannot for an instant think of suicide. I shall face this

accusation erect and fearless, and with the same serenity with which I have ever met my accusers.

"That is what I had to say, Monsieur le Président."

A thrill ran through the whole audience as, amidst profound silence, Picquart uttered these solemn words. Then the pent-up feelings of all, with the exception of a few friends of Esterhazy, like the novelist Gyp, found utterance, and the court and its precincts rang with cries of "*Vive Picquart! A bas les Faussaires!*"

Then, for the court had no alternative, the civil trial of Picquart and Leblois, not yet begun, was postponed *sine die*, and the next day Picquart was handed over into the clutches of the military power, or, shall we not rather say, of the party of forgers and assassins. The coping-stone of the whole structure of infamy had been laid by Zurlinden and Chanoine—two generals who, out of sheer wilfulness, had made themselves the accomplices of the crimes of the *état major*, crimes which will in future history be spoken of as we speak of the crimes of the Borgias or of the Venetian Council of Ten.

Picquart, however, by his bold utterance on September 20, inoculated himself against that risk of assassination which, ever since July, his friends had so dreaded. He had also divulged the full truth through Sarrien to the Cour de Cassation. The criminal section of this supreme

court of appeal consists of sixteen judges, whose position raises them, we may hope, far above the threats of Drumont and the Jesuits. In their first two public audiences, MM. Bard and Manau probed the case to its depths. They have determined to conduct a searching examination themselves into all the circumstances, for they felt that it was not enough to merely annul the verdict upon Dreyfus. The whole plot must be exposed, and all who have participated in it must be punished. Until this is done, France will remain the pariah among the nations which her War Office has made her.

And, in conclusion, I would say a few words about the institutions and characteristics of France which have made possible in her midst, at this end of the nineteenth century, the monstrous growth of wickedness detailed in my pages.

There is, first, the general want of backbone and private judgment among her citizens. They are mostly afraid to speak out loud what they think and feel in a matter where, by doing so, they risk unpopularity; and in a case affecting the army, the one permanent and popular institution in France, it needed a double dose of moral courage to speak out. If you did so, you drew upon yourself from Drumont, Rochefort, Ernest Judet, Millevoye, and the other energumens in the pay of the War Office, not only the imputations conveyed in such phrases as "Syndicate of treason," "Sans patrie," "Vendu,"

"Allemand," but strings of the foulest calumnies on your private life and on that of the dead you loved and respected. The calumnies of Judet on Zola's father, of Drumont on Christian Esterhazy's father, are fresh in one's memory. The influence of the blackmailers I have named is relative to the general timidity of Frenchmen. This want of initiative and of moral courage is the result of Roman Catholic training, more especially of the confessional, which in Latin countries is so worked by the priests as to extinguish all faculty of private judgment, and even of independent moral criticism. Thousands of Frenchmen emancipate themselves on reaching manhood from the dogmas of their Church, but not from the mental and moral habits which its discipline has impressed upon them. French Freemasonry, the religion of the anti-clericals, is in itself a symptom of these habits. Why need a *secret* society in order to combat the usurpations of the priests? Why not fight them in the open, as we would in England? The French Protestants and the Jews seem to be the only people in France who have a moral courage of their own, and the reason is that they have escaped Catholic methods of training. Indeed, to remain a professing Protestant at all in a country where the dominant religious traditions run the other way, demands considerable strength of character. These considerations explain why the Huguenots have almost to a man come forward from the first to protest against

the iniquities of the War Office. To them belong such names as Réville and De Préssensé, and, I might almost add, M. Loyson.

The part which the Latin Church has played has already been described in more than one of my pages. A series of outrages against the public conscience, a crucifixion before all Europe of truth and justice, which in England would have found an accuser in not a few churches and in every Nonconformist chapel, has in the great and dignified Gallican Church provoked not a single protest. Its clergy and journalists have staked their all on Esterhazy, the Papal Zouave.

At one time Madame Dreyfus, in despair of obtaining justice, and knowing the paramount influence which the Pope wields over the higher French officers, appealed to him. Her appeal was ignored and treated with contempt; and through the sinister influence of Cardinals Rampolla and Oreglia the entire weight of the Vatican was cast on the other side. The *Croix*, which is the most popular Catholic paper in France, has gone beyond every other journal in its incentives to a massacre of Jews and Protestants. The *Libre Parole* is the favourite reading of French *curés*, and my reader has already learned the tone of the staid Royalist *Gazette de la France*. Père Didon, the Dominican monk and charlatan biographer of Jesus Christ, is the most popular preacher in Paris. He it is who publicly eulogised last summer the efforts of the prætorians to set might above right,

and condemned "the pretensions of the civilians to subordinate the military to themselves and to their own ends." Mitred bishops have followed in the same strain, and, with the exception of two or three obscure *curés*, the Gallican clergy has never broken silence, except to palliate or praise the crimes of the *état major*.

A French publicist, M. Urbain Gohier, in a brochure called "*L'Armée de Condé*," has shown in detail that, of over a thousand officers in the French Royalist and insurgent forces, which in the last decade of the eighteenth century took the field side by side with English, Germans, Russians, and Austrians, against the French revolutionary armies, the grandsons and great-grandsons, nephews and great-nephews, are now under the old names in command of the army of the French Republic. There can be no more pithy proof than this that the old French Royalist families, who are entirely swayed by the Jesuits, and who refuse loyally to ally themselves with the Republic and to serve it as civil functionaries, have captured the French army. They regard the military or naval career as the only one worthy of their dignity, and have succeeded in maintaining the *ancien régime* in full sway in the particular departments which they have been allowed to make their own. Not only do they prevent the common soldier from reading in his barrack-room any papers except those of Drumont, Judet, and Company, but in their courts-martial

they enact intolerance and openly set aside the French military code. In the Dreyfus trial it did not seem to strike even the most honest of the members of the *état major* that there was any harm in getting a Jew condemned by the use of secret evidence. Where the *état major* in Paris thus shows itself to be above all considerations of legality, what must be the conduct of courts-martial in the provinces and dependencies? Add to this that such courts can always veil their proceedings under the secrecy of the *huis clos*, and it becomes apparent that Frenchmen, so long as they are serving, have no guarantee whatever that they will be either justly or legally tried for any offences alleged against them. Nor is this all. The recent procedures against Picquart and Joseph Reinach demonstrate that the military *vehmgericht* can always get a man back into its power as long as he remains in the Reserve, and even after he has quitted the service altogether, by merely alleging that he committed an offence during his term of military service. In a country where every citizen has to serve, such dangers as these are not imaginary, and entirely frustrate the rights and liberties which the constitution decrees to the individual. They are all the greater because French officers have a profound contempt, often not unmerited, for Republican presidents and politicians. Felix Faure is a laughing-stock among them, and the fugitive Ministries which recompose themselves, mostly out of place-seekers,

with every fresh shake of the parliamentary kaleidoscope, have no weight or authority in the country at large. The result is that no outside force controls the army as in Germany and Russia, where a strong autocracy reveals itself no less in the civil aspect of life than in the military. The French army has no master, no head; and the general irresponsibility and mutual jealousies of the higher officers are in a way to convert it into a chaos, powerful for domestic evil, but impotent to deal with the enemies that lurk along the frontiers of the Vosges and the Alps.

Thus a larger problem awaits the French than the mere rehabilitation of Dreyfus, and the retrieving of their national character, so sorely tarnished in the last two years. They must reform the army itself, and insist on the officers being law-abiding, and really loyal to the institutions they have sworn to defend. The first step will be to emancipate the army from the Jesuits, who have fastened their teeth into it; and this can be done by enforcing the decrees of 1880, and so obliging the Jesuits to quit France. We hope that no more of them will drift into England. Secondly, the Jesuit military schools in the Rue des Postes and elsewhere must be closed, and a law made that no young men shall be admitted into Saint-Cyr and the Polytechnique, who have not been educated up to the moment of their admission in the national *lycées*, which are not confessional schools. Thirdly,

the State must look after the military clubs provided for the common soldier, and see that they are not mere centres of Jesuit propaganda, where such sheets as those of MM. Maurras, Drumont, and Judet are alone set before him. Last of all, a law must be passed insisting on the presence at courts-martial of civil assessors, who shall be trained lawyers; and the power of hearing military cases *in camera* must be limited. In all cases it must rest with the civil assessors to allow of a case being heard *in camera*, and no sentence must be held valid which has not received their formal assent.

THE END

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